

OPEN MEETING AGENDA ITEM

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ADMITTED TO PRACTICE IN:
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OF COUNSEL TO
MUNGER CHADWICK
ATTORNEYS AT LAW
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

JUN 06 2013

DOCKETED BY JM

June 6, 2013

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Re: Tucson Electric Power Company ("TEP") Rate Case ("Instant Proceeding")
Docket No. E-01933A-12-0291

Explanation of Undersigned Counsel's Inability to Attend and Participate in
June 11-12, 2013 Arizona Corporation Commission Open Meeting

To Whom It May Concern:

I am counsel of record for EnerNOC, Inc., Southern Arizona Home Builders Association and Southern Arizona Water Users Association in the Instant Proceeding. On February 4, 2013, parties to the Instant Proceeding reached and filed with the ACC a Settlement Agreement which satisfactorily addressed and resolved all material issues among the parties. On May 17, 2013 Administrative Law Judge Jane L. Rodda issued her Recommended Opinion and Order ("ROO") in which she discussed the positions of the parties and provisions of the Settlement Agreement, and thereafter concluded that the Settlement Agreement was in the public interest. That ROO and the underlying Settlement Agreement are among those matters to be considered by the Commission at a forthcoming Open Meeting on June 11-12, 2013.

On May 29, 2013 I underwent back surgery at the Tucson Medical Center in Tucson, Arizona, and am currently in post-operative recovery. As a consequence, I will be unable to attend and participate in the aforesaid Open Meeting. Accordingly, I am writing this letter to explain my absence from the June 11-12, 2013 Open Meeting, and to reiterate my clients' support for the underlying Settlement Agreement as the same might implicate the various interests of them.

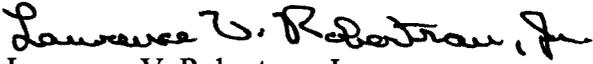
At present, each of my aforesaid clients has indicated it intends to have a representative at the forthcoming Open Meeting at which the ROO will be considered. Thus, it is not contemplated that any of such representatives would have occasion to further express support for the Settlement Agreement. However, I did want to indicate the possibility of their physical

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presence in the Commission's hearing room and their availability to answer any questions relative to their interests which might arise.

Thank you for your consideration of the above circumstances. Please let me know if I can assist you in any manner.

Sincerely,


Lawrence V. Robertson, Jr.

cc: Chairman Bob Stump
Commissioner Gary Pierce
Commissioner Brenda Burns
Commissioner Bob Burns
Commissioner Susan Bitter Smith
Administrative Law Judge Jane L. Rodda
Parties of Record