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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

BOB STUMP- Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

AZ CORP COMMISSION
DOCKET CONTROL

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IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY FOR
APPROVAL OF NET METERING COST SHIFT
SOLUTION.

DOCKET NO. E-01345A-13-0248

PROCEDURAL ORDER
(Granting Pro Hac Vice Admission)

BY THE COMMISSION:

On July 12, 2013, Arizona Public Service Company ("APS") filed with the Arizona Corporation Commission an application for approval of Net Metering Cost Shift Solution.

Numerous public comments have been filed.

Intervention has been granted to Lewis M. Levenson, Arizona Solar Deployment Alliance, Arizona Competitive Power Alliance, Patty Ihle, Tucson Electric Power and UNS Electric, Inc., the Residential Utility Consumer Office, The Alliance for Solar Choice ("TASC"), Solar Energy Industries Association ("SEIA"), Western Resource Advocates, and the Interstate Renewable Energy Council, Inc. ("IREC")

On August 20, 2013, SEIA filed a Protest and Motion to Dismiss, asserting that the relief requested in the application implicates improper ratemaking that violates the approved settlement of APS's last rate case (Decision No. 73183 (May 24, 2012)); represents unconstitutional single-issue ratemaking, citing to *Scates v. Arizona Corp. Comm'n*, 118 Ariz. 531, 578 P.2d 612 (Ariz. App. 1978); and lacks legal and regulatory authority. SEIA requests that the Commission reject the application and order APS to comply with Decision No. 73183 and the settlement agreement approved therein, and require APS to address the issues discussed in the application, if at all, only in the filing of APS's next general rate case, after May 31, 2015.

On August 21, 2013, Commissioner Bitter Smith filed a letter in the docket requesting that the parties file all data requests and responses in this docket. Subsequently the parties have made several such filings.

1 On August 29, 2013, IREC filed a Protest. IREC states that it supports SEIA's Protest,
2 recommends that the Commission reject APS's application, and recommends that the Commission
3 defer discussion of the proposals in APS's application to a future general rate case. IREC suggests
4 that at that time, the Commission rely on a neutral third party to model the benefits and costs of net
5 metering in Arizona, based on a common set of assumptions and inputs developed by the
6 Commission and stakeholders.

7 On August 30, 2013, TASC joined in SEIA's Motion to Dismiss.

8 On September 9, 2013, APS filed a Response to SEIA's Motion to Dismiss, stating that the
9 motion should be treated as a Protest that asserts policy disagreements, and not as a motion to
10 dismiss.

11 On September 16, 2013, SEIA filed a Reply to APS's Response, reasserting that APS's
12 application should be dismissed, and that the issues raised in the application should be addressed
13 only in the filing of APS's next general rate case, after May 31, 2015.

14 On September 23, 2013, TASC docketed a Notice of Filing Documents of Interest, to which
15 was attached a petition to maintain net metering. The filing states the petition is signed by 19,559
16 Arizona residents.

17 On September 20, 2013, pursuant to Arizona Supreme Court Rule 38(a), Giancarlo G.
18 Estrada, an Arizona-licensed attorney, filed with the Commission a Motion for Erica M. Schroeder to
19 Appear *Pro Hac Vice* in the above-captioned matter, on behalf of IREC ("Motion").

20 The Motion lists Giancarlo Estrada as the designated member of the Arizona State Bar with
21 whom communications may be made and upon whom papers should be served. Attached to the
22 Motion is a Verified Application to Appear *Pro Hac Vice*; a copy of Ms. Schroeder's certificate of
23 good standing from the State Bar of California; and a Notice of Receipt of Complete Application.

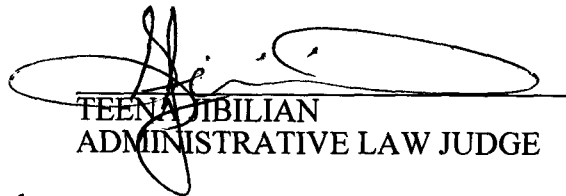
24 In the discretion of the Commission, Erica M. Schroeder should be permitted to appear and
25 participate in the above-captioned matter on behalf of IREC.

26 IT IS THEREFORE ORDERED that Erica M. Schroeder is hereby admitted *pro hac vice* to
27 participate in the above-captioned matter on behalf of the Interstate Renewable Energy Council, Inc.
28

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 25th day of September, 2013.


TEENA JIBILIAN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 25th day of September, 2013 to:

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