

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

OPEN MEETING ITEM



ARIZONA CORPORATION COMMISSION RECEIVED

2013 SEP 26 P 3:09

ORIGINAL

DATE: SEPTEMBER 26, 2013  
ARIZONA CORPORATION COMMISSION DOCKET CONTROL

DOCKET NO.: E-01933A-12-0291

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Jane L. Rodda. The recommendation has been filed in the form of an Order on:

TUCSON ELETRIC POWER COMPANY  
(EXTENDS COMPLIANCE DEADLINE IN DECISION NO. 73912)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

OCTOBER 7, 2013

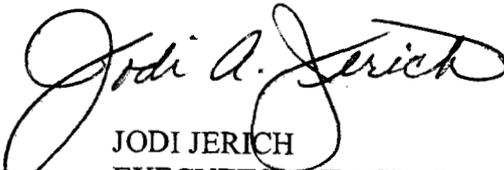
The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

OCTOBER 16, 2013 and OCTOBER 17, 2013

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission  
**DOCKETED**  
SEP 26 2013

DOCKETED BY 

  
JODI JERICH  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347  
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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov).

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 BOB STUMP - Chairman  
4 GARY PIERCE  
5 BRENDA BURNS  
6 BOB BURNS  
7 SUSAN BITTER SMITH

8 IN THE MATTER OF THE APPLICATION OF  
9 TUCSON ELECTRIC POWER COMPANY FOR  
10 THE ESTABLISHMENT OF JUST AND  
REASONABLE RATES AND CHARGES  
DESIGNED TO REALIZE A REASONABLE  
RATE OF RETURN ON THE FAIR VALUE OF  
ITS OPERATIONS THROUGHOUT THE STATE  
OF ARIZONA.

DOCKET NO. E-01933A-12-0291

DECISION NO. \_\_\_\_\_

**ORDER**  
**(Extends Compliance Deadline in**  
**Decision No. 73912)**

11 Open Meeting  
12 October 16 and 17, 2013  
13 Phoenix, Arizona

14 **BY THE COMMISSION:**

15 \* \* \* \* \*

16 Having considered the entire record herein and being fully advised in the premises, the  
17 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

18 **FINDINGS OF FACT**

19 1. In Decision No. 73912 (April 16, 2013), the Commission approved a settlement  
20 agreement that provided for new rates and charges for Tucson Electric Power Company ("TEP" or  
21 Company").

22 2. The approved settlement agreement provides that TEP:

23 ...shall file in this docket by August 30, 2013, a proposed tariff for interruptible rates.  
24 Staff agrees that it will review the filing and docket a Staff Report and Proposed Order  
for the consideration of the Commission by December 31, 2013.<sup>1</sup>

25 In addition as part of Decision No. 73912, the Commissioner ordered that TEP:

26  
27  
28 <sup>1</sup> Settlement Agreement at § 20.5.

1 ... shall file on or before August 30, 2013, a revised Partial Requirements Service  
2 Tariff and a Super-Peak Time-of-Use Tariff.<sup>2</sup>

3 3. On August 26, 2013, TEP docketed a request for a two month extension of time,  
4 seeking authority to provide the above tariffs by October 30, 2013, rather than August 30, 2013. The  
5 Company states that it is seeking additional time because the employees who would develop the  
6 required tariffs are simultaneously involved in the pending UNS Electric rate case (Docket No. E-  
7 4204A-12-0504). TEP also states that the extension will allow the Company time to work with  
8 parties in an effort to seek "consensus" on each tariff.

9 4. On August 30, 2013, the Commission Utilities Division Staff filed a Memorandum in  
10 response to TEP's request for an extension. Staff states that it has no objection to the Company's  
11 proposed extension of time, and recommends that the due dates for TEP to provide the revised Partial  
12 Requirements Service Tariff, the Super-Peak Time-of-Use Tariff and the proposed tariff for  
13 interruptible rates be extended to October 30, 2013, and that the due date for the corresponding Staff  
14 Report and Proposed Order be extended to March 31, 2014.<sup>3</sup>

15 5. No party has filed an objection to TEP's requested extension of time.

16 6. TEP's request for a relatively short extension is reasonable under the circumstances.

### 17 CONCLUSIONS OF LAW

18 1. TEP is a public service corporation within the meaning of Article XV of the Arizona  
19 Constitution and A.R.S. §§ 40-281 and 40-282.

20 2. The Commission has jurisdiction over TEP and the subject matter of the request.

21 3. An extension of time to comply with the requirements of Decision No. 73912, as  
22 discussed herein, is fair and reasonable and in the public interest.

### 23 ORDER

24 IT IS THEREFORE ORDERED that the deadline for Tucson Electric Power Company to file  
25 a revised Partial Requirements Service Tariff, a Super-Peak Time-of-Use Tariff and a proposed  
26 tariff for Interruptible rates as required in Decision No. 73912 is extended to October 30, 2013.

27 <sup>2</sup> Decision N. 74912 at 74.

28 <sup>3</sup> On September 5, 2013, Staff filed a Corrected Memorandum noting that the original Staff memorandum contained a  
typographical error concerning the due date of the forthcoming Staff Report. The correct date is March 31, 2014.

1 IT IS FURTHER ORDERED that the due date for the Staff Report and Proposed Order for  
2 the tariffs is extended to March 31, 2014.

3 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.  
5  
6

7 CHAIRMAN \_\_\_\_\_ COMMISSIONER

8  
9 COMMISSIONER \_\_\_\_\_ COMMISSIONER \_\_\_\_\_ COMMISSIONER

10  
11 IN WITNESS WHEREOF, I, JODI JERICH, Executive  
12 Director of the Arizona Corporation Commission, have  
13 hereunto set my hand and caused the official seal of the  
14 Commission to be affixed at the Capitol, in the City of Phoenix,  
15 this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

16 \_\_\_\_\_  
17 JODI JERICH  
18 EXECUTIVE DIRECTOR

19 DISSENT \_\_\_\_\_

20 DISSENT \_\_\_\_\_  
21 JR:tv

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TUCSON ELECTRIC POWER COMPANY

2 DOCKET NO.:

E-01933A-12-0291

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