



0000155928

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKET CONTROL

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

2014 SEP 15 PM 2 48

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

SEP 15 2014

DOCKETED BY

ORIGINAL

IN THE MATTER OF SULPHUR SPRINGS
VALLEY ELECTRIC COOPERATIVE, INC.'S
APPLICATION FOR APPROVAL OF A NET
METERING TARIFF.

DOCKET NO. E-01575A-09-0429

PETITION TO AMEND DECISION
71463 PURSUANT TO
A.R.S. § 40-252

Pursuant to A.R.S. § 40-252, Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC" or the "Cooperative") requests that the Arizona Corporation Commission ("Commission") amend Decision 71463 (January 26, 2010) to eliminate the March true-up option for new net metering customers of SSVEC. Existing net metering customers who currently have March as the true-up month will be able to keep the March true-up. However, new net metering customers (after the date of a Commission order amending Decision 71463) and existing net metering customers with a September true-up would be required to use September as the true-up month.

ELIMINATION OF THE MARCH TRUE-UP OPTION

SSVEC requests the elimination of March as a true-up month for new net metering customers. SSVEC originally selected September as its preferred month for the annual true-up. However, during the January 12, 2010 Open Meeting to consider and approve the Cooperative's new net metering tariff schedule, one customer stated a desire to true-up his net metering account in March. Based upon this request, an amendment was offered and approved by the Commission which established September and March as true-up month options. SSVEC is unique among Arizona electric utilities in having two true-up months instead of a single month.

1 In practice, having two true-up months has led to confusion among Cooperative
2 customers. Some customers have forgotten which month they selected for the true-up while
3 others mistakenly believe that the true-up is performed two times each year. The matter is
4 further complicated by the fact that rooftop solar installers who work with other electric utilities
5 in Arizona are accustomed to a single true-up month and they forget to advise the customer of
6 that fact or they forget to have the customer mark a true-up month on the sign-up form. For
7 these reasons, SSVEC requests permission to eliminate the March true-up option going forward.
8 Members who have already selected March as the true-up month will be grandfathered and can
9 continue to use March as the true-up month. Thus, the requested amendment to Decision 71463
10 will not affect any existing customer. New net metering customers and existing net metering
11 customers with a September true-up would be required to use September as the true-up month.

12 SSVEC will provide notice of this filing via first class mail to all of its existing net
13 metering customers in the form attached hereto as Attachment 1. In addition, SSVEC will
14 upload the notice to its website and will publish a copy of the notice in newspapers of general
15 circulation in its service area.

16 SSVEC requests that the Commission approve its request to eliminate the March true-up
17 option. For the Commission's convenience, SSVEC has attached hereto as Attachment 2 a
18 Proposed Amendment #1 to Decision 71463 which would approve the elimination of the March
19 true-up option.

20 RESPECTFULLY SUBMITTED this 15th day of September, 2014.

21 BROWNSTEIN HYATT FARBER SCHRECK LLP

22 

23 Jeffrey W. Crockett, Esq.

24 One East Washington Street, Suite 2400

25 Phoenix, Arizona 85004

26 Attorneys for Sulphur Springs Valley Electric
Cooperative, Inc.

1 ORIGINAL and thirteen (13) copies filed
2 this 15th day of September, 2014, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington,
6 Phoenix, AZ 85007

7 COPY of the foregoing hand-delivered this
8 15th day of September, 2014, to:

9 Bob Stump, Chairman
10 ARIZONA CORPORATION COMMISSION
11 1200 W. Washington Street
12 Phoenix, Arizona 85004

13 Gary Pierce, Commissioner
14 ARIZONA CORPORATION COMMISSION
15 1200 W. Washington Street
16 Phoenix, Arizona 85004

17 Brenda Burns, Commissioner
18 ARIZONA CORPORATION COMMISSION
19 1200 W. Washington Street
20 Phoenix, Arizona 85004

21 Bob Burns, Commissioner
22 ARIZONA CORPORATION COMMISSION
23 1200 W. Washington Street
24 Phoenix, Arizona 85004

25 Susan Bitter Smith, Commissioner
26 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85004

Lyn Farmer, Chief Administrative Law Judge
Hearing Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85004

1 Steven M. Olea, Director
Utilities Division
2 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
3 Phoenix, Arizona 85004

4 Janice M. Alward, Chief Counsel
Legal Division
5 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
6 Phoenix, Arizona 85004

8 COPY of the foregoing mailed via first class
mail this 15th day of September, 2014, to:

9
10 Mr. Sean M. Seitz, President
American Solar Electric, Inc.
11 1475 N. Scottsdale Road, Suite 410
Scottsdale, Arizona 85257

12 Mr. James F. Rowley III
13 HC 1 Box 259
14 Elgin, Arizona 85611-9715

15
16 
17

015442\0002\11508273.1

18
19
20
21
22
23
24
25
26

ATTACHMENT 1

PUBLIC NOTICE

IN THE MATTER OF THE APPLICATION OF SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC.'S APPLICATION FOR APPROVAL OF A NET METERING TARIFF (DOCKET NO. E-01575A-09-0429)

Petition to Amend Decision 71463

On January 26, 2010, the Arizona Corporation Commission ("Commission") issued Decision 71463 approving a new net metering tariff schedule for Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC" or the "Cooperative"). Pursuant to Decision 71463, once annually in either September or March (at the customer's option), SSVEC credits the account of each net metering customer for the balance of any excess kilowatt hours ("kWh") generated by the customer's rooftop solar system at a rate based upon the Cooperative's annual average avoided cost per kWh as approved by the Commission. SSVEC is unique among Arizona electric utilities in having two true-up months for determining net metering account credits and, in practice, this has led to confusion among Cooperative customers. Some customers have forgotten which month they selected for the true-up while others mistakenly believe that the true-up is performed two times each year. The matter is further complicated by the fact that rooftop solar installers that work with other electric utilities in Arizona are accustomed to a single true-up month and they forget to advise the customer of that fact or they forget to have the customer mark a true-up month on the sign-up form. For these reasons, SSVEC has filed a Petition to Amend Decision 71463 ("Petition") to eliminate the March true-up option for all new net metering customers. Customers who have already selected March as the true-up month will be grandfathered and can continue to use March as the true-up month. New net metering customers and existing net metering customers with a September true-up would be required to use September as the true-up month.

Public Comment and Intervention

Written public comments regarding the Petition may be submitted by mailing a letter referencing Docket No. E-01575A-09-0429 to the Commission's Consumer Services Section at 1200 West Washington, Phoenix, Arizona 85007, or by e-mail. For a form to use and instructions on how to e-mail comments to the Commission, go to: <http://www.azcc.gov/Divisions/Utilities/forms/PublicCommentForm1.pdf>.

Requests to intervene may be filed in Docket No. E-01575A-09-0429 by any person entitled by law to intervene or who is directly and substantially affected by the proceeding. If you require assistance, either to provide public comment or to seek intervention, you may contact the Commission's Consumer Services Section at 602-542-4251 or 1-800-222-7000, or you may contact SSVEC during normal business hours at 520-586-2238.

How You Can View or Obtain a Copy of the Petition and Other Filed Documents

A copy of the Petition is available for public inspection during regular business hours on SSVEC's website at www.ssvec.org; and at the Cooperative's offices located at 350 N. Haskell, Willcox, Arizona 85643 and 311 E. Wilcox Drive, Sierra Vista, Arizona 85635. A copy of the Petition is also available for public inspection during regular business hours at the Commission's Docket Control Center at 1200 W. Washington Street, Phoenix, Arizona, 85007, in the Commission's Tucson Office at 400 W. Congress, Tucson, Arizona, 85701 and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, e-mail SABernal@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

ATTACHMENT 2

PROPOSED AMENDMENT # 1

DATE PREPARED: September 15, 2014

COMPANY: Sulphur Springs Valley Electric Cooperative, Inc.

DOCKET NO.: E-01575A-09-0429

OPEN MEETING DATES: TBD AGENDA ITEM: TBD

Page 5, line 2,

DELETE the words “or March.”

Page 5, line 3,

ADD a footnote 1 after the word “remaining,” stating as follows:

Customers who, as of September 30, 2014, have designated March as the month for determining their credit for excess kWh will be allowed to keep March as their true-up month for so long as they shall remain a Net Metering customer.

Make all other conforming changes.