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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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- SUSAN BITTER SMITH - Chairman
- BOB STUMP
- BOB BURNS
- DOUG LITTLE
- TOM FORESE

MAR 13 2015

AZ CORP COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, AND TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

DOCKET NO. E-01345A-11-0224

ORIGINAL

PROCEDURAL ORDER  
(Granting Intervention)

BY THE COMMISSION:

On June 1, 2011, Arizona Public Service Company ("APS" or "Company") filed the above-captioned rate application with the Arizona Corporation Commission ("Commission").

On May 24, 2012, the Commission issued Decision No. 73183, which approved a Settlement Agreement dated January 6, 2012, as discussed therein.<sup>1</sup> Section 17.1 of the Settlement Agreement, as approved by Decision No. 73183, authorized the Experimental Rate Rider Schedule AG-1 Alternative Generation General Service ("Schedule AG-1").<sup>2</sup>

On November 20, 2014, a Joint Motion to Extend Experimental Rate Rider Schedule AG-1 ("Joint Motion") was filed by the following parties to this docket: Wal-Mart Stores; Sam's West Inc.; Freeport Minerals Corporation; the Kroger Co.; Noble Americas Energy Solutions, LLC; Constellation NewEnergy, Inc.; Shell Energy North America (US) LP; Direct Energy Business, LLC;

<sup>1</sup> Following the issuance of Decision No. 73183, the Commission has issued five more Decisions in this docket: Decision No. 73650 (February 6, 2013), Decision No. 73732 (February 20, 2013), Decision No. 74394 (March 19, 2014), Decision No. 74876 (December 23, 2014), and Decision No. 74948 (February 9, 2015).

<sup>2</sup> Schedule AG-1 is a rate rider tariff that Decision No. 73183 made available on a limited experimental basis for APS Standard Offer customers who have an Aggregated Peak Load of 10 MW or more and are served under Rate Schedules E-34, E-35, E32-L, or E-32 TOU L. APS received customer requests to participate in the program well in excess of the 200 MW limit, and conducted a lottery as a means of equitably selecting participants, pursuant to the requirements of Schedule AG-1. Schedule AG-1 allows participating APS customers to select specific third-party GSPs who sell wholesale power to APS on behalf of the specific customers who have selected them. The alternative buy-through generation is utilized for the participating AG-1 customers in lieu of APS's generation. APS purchases and manages the requested generation on behalf of the AG-1 customers.

1 and Arizonans for Electric Choice and Competition (“Joint Movants”). The Joint Movants request  
2 that rather than permitting Schedule AG-1 to expire on July 16, 2016, the Commission extend the rate  
3 rider until at least such time as new rates go into effect for APS following the filing of APS’s next  
4 general rate case.

5 On November 21, 2014, Safeway, Inc. (“Safeway”) filed a Petition to Intervene. Safeway  
6 stated that it wishes to intervene for the specific purpose of supporting the Joint Motion.

7 On November 24, 2014, the Residential Utility Consumer Office (“RUCO”) filed a Response  
8 to the Joint Motion.

9 On December 1, 2014, APS filed a Response to the Joint Motion.

10 On December 17, 2014, the Joint Movants filed a Reply to APS’s Response.

11 On March 10, 2015, Commissioner Doug Little filed a letter to the docket.

12 No objections have been filed to Safeway’s intervention request and accordingly, Safeway  
13 should be granted intervention.

14 IT IS THEREFORE ORDERED that Safeway, Inc. is hereby granted intervention.

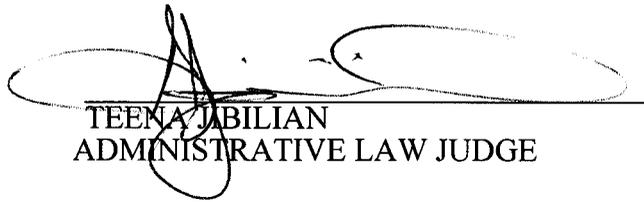
15 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules  
16 31, 38 and 42, and A.R.S. §40-243 with respect to the practice of law and admission *pro hac vice*.

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

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1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
2 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
3 hearing.

4 DATED this 13<sup>th</sup> day of March, 2015.

5  
6   
7 TEENA JABILIAN  
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 13<sup>th</sup> day of March, 2015 to:

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