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INTERVENTION

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2
3 **SUSAN BITTER SMITH, CHAIRMAN**
4 **BOB STUMP**
5 **BOB BURNS**
6 **DOUG LITTLE**
7 **TOM FORESE**

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AZ CORP COMMISSION
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8 IN THE MATTER OF THE APPLICATION)
9 OF UNS ELECTRIC, INC. FOR THE)
10 ESTABLISHMENT OF JUST AND)
11 REASONABLE RATES AND CHARGES)
12 DESIGNED TO REALIZE A REASONABLE)
13 RATE OF RETURN ON THE FAIR VALUE)
14 OF THE PROPERTIES OF UNS ELECTRIC,)
15 INC. DEVOTED TO ITS OPERATIONS)
16 THROUGHOUT THE STATE OF)
17 ARIZONA, AND FOR RELATED)
18 APPROVALS.)

DOCKET NO. E-04204A-15-0142

NOBLE AMERICAS ENERGY SOLUTIONS LLC APPLICATION FOR LEAVE TO INTERVENE

Arizona Corporation Commission

DOCKETED

MAY 15 2015

DOCKETED BY

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ATTORNEY AT LAW
P. O. Box 1448
Tubac, Arizona 85646

14 Pursuant to A.A.C. R14-3-105, Noble Americas Energy Solutions LLC ("Noble Solutions") hereby makes Application for Leave to Intervene ("Application") in the above-captioned and above-docketed proceeding ("Instant proceeding"). In support of its Application, Noble Solutions submits the following information.

I.

DESCRIPTION OF NOBLE SOLUTIONS

21 Noble Solutions is owned by Noble Group Ltd. ("Noble Group"). Noble Group is a market-leading global supply chain manager of agricultural and energy products, metals and minerals. Noble Group is listed in Singapore (SGX: N21), with headquarters in Hong Kong. Noble Group was ranked number 76 in the 2013 International Fortune 500. Noble Solutions offers a suite of commodity products and commodity services structured to meet the unique needs of energy users and to capture the benefits of choice at the retail level of electricity and natural gas consumption. These commodity products include fixed price, index price and renewable energy, and commodity services include Powerfolio 3D, Online Energy Analyzer and

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1 market reports. At present, Noble Solutions serves commercial and industrial customers and
2 institutions of higher learning in the states of California, Connecticut, Delaware, District of
3 Columbia, Illinois, Maine, Maryland, Massachusetts, Michigan, Nevada, New Hampshire, New
4 Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, and Texas, and also in Baja
5 California, Mexico.

6 **II.**

7 **CIRCUMSTANCES OCCASIONING NOBLE SOLUTIONS'**

8 **INTERVENTION REQUEST**

9 Noble Solutions was an Intervener and an active participant in Docket Nos. E-04230A-14-
10 0011 and E-01933A-14-0011, which involved the then proposed Reorganization of UNS Energy
11 Corporation ("Reorganization Proceeding"). Prior to commencement of the evidentiary hearing in
12 the Reorganization Proceeding, a Settlement Agreement was negotiated and executed among
13 parties to that proceeding. Noble Solutions was among the signatories to the Settlement
14 Agreement, which was approved by the Commission in Decision No. 74689.

15 Among the provisions in the Settlement Agreement in the portion relating to "Customer
16 Programs" was Condition 31, which provides as follows:

17 "31. In their next rate case, TEP and UNS Electric will propose a pilot program
18 for a 'buy through' tariff available to Large Light and Power Service and Large
Power Service customers, respectively."

19 Noble Solutions participated in both the drafting of the language and the inclusion of Condition 31
20 in the Settlement Agreement; and, because of such language and inclusion, Noble Solutions
21 submitted testimony and briefs urging Commission approval of the Settlement Agreement. In that
22 regard, Decision No. 74689 noted as follows at page 23, lines 4-15:

23 "From the specific perspective of Noble Solutions, the Settlement Agreement
24 addresses Noble Solutions' suggestion that TEP and UNS Electric implement a
25 program that would offer customers a broader array of choices in price and quality
26 of service. Condition 31 provides that "in their next rate cases, TEP and UNS
27 Electric will propose a pilot program for a 'buy through' tariff available to large
28 light and power and large power service customers, respectively." Noble Solutions
states that it appreciates the positive response to this provision by the parties to the
Settlement Agreement. Noble Solutions believes that the willingness of UNS
Energy and Fortis to affirmatively commit to proposing a "buy through" program is
consistent with the "broad public interest." Noble Solutions also believes that

1 Settlement Condition 41(iii), which provides in part that UNS Energy and its
2 subsidiaries will support “economic” and “consumer partnerships”, supports its
3 belief that Noble Solutions and TEP and UNS Electric could “partner” to structure a
4 “buy through” program(s) to meet the needs of some customers.”

5 On May 5, 2015, UNS Electric, Inc. (“Applicant”) filed an Application with the
6 Commission’s Docket Control requesting an increase in Applicant’s rates and charges for electric
7 service. Among the rates proposed by Applicant was a new rate entitled Experimental Rider 14,
8 Alternative Generation Service (“Experimental Rider 14”). Included in the contemporaneously
9 filed May 5, 2015 prepared Direct Testimony of Applicant’s witness Craig A. Jones at page 56,
10 lines 1 – page 59, line 7 is a description of Experimental Rider 14. In that regard, the following
11 excerpt from that testimony is directly relevant to Noble Solutions’ request for leave to intervene
12 in the Instant Proceeding:

13 **“Q. Why is the Company presenting a buy-through tariff?”**

14 A. As part of the settlement agreement in the acquisition of UNS Energy by
15 Fortis. UNS Energy agreed that UNS Electric and TEP would submit a buy-
16 through tariff in their next rate case applications.” [Craig A. Jones Direct
17 Testimony at page 56, lines 3-6]

18 **III.**
19 **SATISFACTION OF REQUIREMENTS**
20 **FOR INTERVENTION PRESCRIBED**
21 **BY A.A.C. R14-3-105**

22 Against the background of Sections I and II above, Noble Solutions believes that it has
23 fully satisfied the requirements of A.A.C. R14-3-105 governing requests for intervention in
24 proceedings before the Commission. First, as an established and well-regarded provider of electric
25 generation service of the type contemplated by Experimental Rider 14, Noble Solutions will be
26 “substantially and directly affected” by a Commission decision in the Instant Proceeding as to
27 whether or not to approve Experimental Rider 14 or some variation thereof. Second, Noble
28 Solutions intervention and participation will not delay or broaden issues in the Instant Proceeding
because Applicant itself has included the concept of a “buy through” tariff as a part of its May 5,
2015 filing with the Commission.

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IV.
CONCLUSION

WHEREFORE, Noble Solutions hereby requests that the Commission enter an appropriate form of order granting (i) Noble Solutions' Application for Leave to Intervene in the Instant Proceeding and (ii) Noble Solutions all rights as a party of record therein.

Dated this 14th day of May 2015.

Respectfully submitted,



Lawrence V. Robertson, Jr.
Attorney for Noble Americas Energy Solutions LLC

The original and thirteen (13) copies of the foregoing will be filed this 15th day of May 2015 with:

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

A copy of the same served by e-mail or first class mail that same date to:

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Jane L. Rodda, Administrative Law Judge
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