



0000164054

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH, CHAIRMAN
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

DOCKETED

SEP 22 2015

DOCKETED BY

RECEIVED
2015 SEP 22 P 4:3
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE
APPLICATION OF SULPHUR
SPRINGS VALLEY ELECTRIC
COOPERATIVE, INC., AN ARIZONA
NONPROFIT CORPORATION, FOR
(1) APPROVAL OF A NEW NET
METERING TARIFF; (2) APPROVAL
OF REVISIONS TO ITS EXISTING
NET METERING TARIFF; AND (3)
PARTIAL WAIVER OF THE NET
METERING RULES.

DOCKET NO. E-01575A-15-0127

**NAVOPACHE AND MOHAVE
ELECTRIC COOPERATIVES'
JOINDER IN OPPOSITION TO
CONSOLIDATION**

ORIGINAL

Navopache Electric Cooperative, Inc. ("NEC"), and Mohave Electric Cooperative, Incorporated ("MEC"), through its undersigned attorneys, hereby join the Opposition to Staff's Motion to Consolidate filed on behalf of Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC").¹ As SSVEC demonstrates, AAC R14-3-109(H) permits consolidation only upon a showing that no party will be prejudiced. If the factual allegations alleged by SSVEC are true, it will be significantly prejudiced by the delay that would result from a consolidation of its net metering application (Docket No. E-01575A-15-0127) with its rate application (Docket No. E-01575A-15-0312). The Arizona Corporation Commission ("Commission") routinely enters procedural orders in rate

¹ NEC and MEC have insufficient information relating to the actual impacts on SSVEC and therefore neither join nor oppose the representations made by SSVEC relating to impact.

1 matters that extend the time to the maximum time frame allowed by AAC R14-2-
2 103(B)11. Therefore, it must be anticipated, that a decision on SSVEC's rate application
3 will not occur for at least another year. In contrast, a decision on the net metering
4 application could be made in as little as 60 to 90 days if, the matter were promptly set for
5 evidentiary hearing as requested by SSVEC.

6 It must also be emphasized that the harm alleged by SSVEC is directly and
7 proximately caused by a generic "crediting" policy established by this Commission
8 without evaluating the specific impacts on any particular utility's ability to recover their
9 rate of return. It is appropriate for the Commission to act expeditiously and outside of a
10 rate case to minimize the erosion to SSVEC's authorized rate of return by adopting a lesser
11 credit than is otherwise provided through the Commission's net metering rules. As
12 SSVEC notes, the relief requested in its net metering application does not seek full relief
13 and does not preclude any alternative in the full rate case. Granting the relief requested in
14 its net metering application serves only to minimize the revenue drain pending the rate
15 case.

16 For the foregoing reasons, NEC and MEC support SSVEC's Opposition to Staff's
17 Motion to Consolidate.

18 RESPECTFULLY SUBMITTED this 22nd day of September, 2015.

19
20
21
22
23
24
25
26

CURTIS, GOODWIN, SULLIVAN
UDALL & SCHWAB, P.L.C.

By 

Michael A. Curtis
William P. Sullivan
501 E. Thomas Rd.
Phoenix, Arizona 85012
Attorneys for Navopache Electric
Cooperative, Inc. and Mohave Electric
Cooperative, Incorporated

PROOF OF AND CERTIFICATE OF MAILING

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

I hereby certify that on this 22nd day of September, 2015, I caused the foregoing document to be served on the Arizona Corporation Commission by delivering the original and thirteen (13) copies of the above to:

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

Copy of the foregoing mailed
this 22nd day of September, 2015, to:

Jeffrey Crockett
Crockett Law Group PLLC
1702 E. Highland Avenue, Suite 204
Phoenix, Arizona 85016

Mark Holohan
Arizona Solar Energy Industries Association
2122 West Lone Cactus Drive, Suite 2
Phoenix, Arizona 85027

Gregory Bernosky
Arizona Public Service Company
Post Office Box 53999, MS 9708
Phoenix, Arizona 85072

Thomas Loquvam
Post Office Box 53999, MS 8695
Phoenix, Arizona 85072

Court Rich
7144 E. Stetson Drive, Suite 300
Scottsdale, Arizona 85251


