

EXCEPTION

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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2015 AUG -6 P 3: 27

Arizona Corporation Commission

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AUG 06 2015

SUSAN BITTER SMITH, Chairman

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF TRICO ELECTRIC COOPERATIVE, INC., FOR APPROVAL OF A NEW NET-METERING TARIFF, THE PARTIAL WAIVER OF THE COMMISSION'S NET METERING RULES AND A REVISED AVOIDED COST RATE IN THE COMPANY'S EXISTING NET METERING TARIFF.

DOCKET NO. E-01461A-15-0057
EXCEPTIONS
OF
SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC.

CROCKETT LAW GROUP PLLC
1702 E. Highland Ave., Suite 204
Phoenix, Arizona 85016

A recommended opinion and order ("ROO") was issued in this docket on July 29, 2015. Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC" or the "Cooperative"), an intervenor in the above-referenced matter, hereby files its exceptions to the ROO.

Finding of Fact ("FOF") 28 of the ROO states as follows:

We find that it is in the public interest to consider the proposed changes to Trico's net metering tariff in the context of a rate case where the Commission is able to consider a wide range of possible rate design options. Thus, we approve Trico's partial withdrawal of its Application as requested.

SSVEC is concerned that the first sentence of FOF 28 may be construed as a general finding, applicable beyond the scope of this case, that changes to net metering tariffs may only be requested and addressed in a general rate case. SSVEC has an application pending in Docket E-01575A-15-0127 to modify its net metering tariff and for a partial waiver of the Arizona Corporation Commission's net metering rules. Utilities Division Staff has recommended that the Cooperative's application be dismissed and brought in a future rate case. The parties are presently briefing the issues of whether the application can and should be addressed in the docket where it was filed, and oral argument is scheduled for August 20, 2015. SSVEC wants to make certain that any order issued in this case may not

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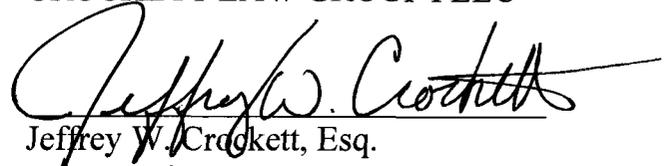
1 be used to bar its application in Docket E-01575A-15-0127. Thus, the Cooperative
2 requests that the Commission replace FOF 28 in the ROO with the following:

3 28. We find that it is in the public interest to approve Trico's partial
4 withdrawal of its Application as requested.

5 For the Commission's convenience and consideration, SSVEC has attached
6 Proposed Amendment #1 which would make the requested revisions to FOF 28.

7 RESPECTFULLY SUBMITTED this 6th day of August, 2015.

8 CROCKETT LAW GROUP PLLC

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12 Phoenix, Arizona 85016
13 Attorneys for Sulphur Springs Valley
14 Electric Cooperative, Inc.

14 **ORIGINAL** and thirteen (13) copies of the
15 foregoing filed this 6th day of August, 2015, with:

16 Docket Control
17 ARIZONA CORPORATION COMMISSION
18 1200 West Washington Street
19 Phoenix, Arizona 85007

18 **COPY** of the foregoing hand-delivered
19 this 6th day of August, 2015, to:

20 Thomas Broderick, Director
21 Utilities Division
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington Street
24 Phoenix, Arizona 85007

23 Dwight Nodes, Chief Administrative Law Judge
24 Hearing Division
25 ARIZONA CORPORATION COMMISSION
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PROPOSED AMENDMENT # 1

DATE PREPARED: August 6, 2015

COMPANY: Trico Electric Cooperative, Inc.

DOCKET NO.: E-01461A-15-0057

OPEN MEETING DATES: August 18-19, 2015 AGENDA ITEM: U-_____

Page 5, line 25,

DELETE existing Finding of Fact 28 and REPLACE with the following:

28. We find that it is in the public interest to approve Trico's partial withdrawal of its Application as requested.

Make all other conforming changes.