ORIGINAL

TO:

FROM:

DATE:

RE:

# OPEN MEETING



2015 SEP 25 P 4: 48

### MEMORANDUM

Arizona Corporation Commission

DOCKETED

SEP 2 5 2015

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, TO

APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

SUBJECT: THE JOINT MOTION TO EXTEND EXPERIMENTAL RATE RIDER

SCHEDULE AG-1 AND APS REQUEST FOR ACCOUNTING DEFERRAL

ORDER. (DOCKET NO. E-01345A-11-0224)

THE COMMISSION

Utilities Division

September 25, 2015

On May 24, 2012, the Commission approved a 2011 Settlement Agreement in Decision No. 73183 which, among other provisions, includes an Experimental Rate Rider, Schedule AG-1 ("AG-1"). AG-1 is a buy-through rate for select industrial and large commercial customers intended to resemble a competitive-type rate. The program was capped at 200 megawatts, with participants subsequently chosen through a lottery process. The lottery was made available to applicants with an aggregated load of 10 megawatts or more. Thirteen applicants participated in the lottery and eight were chosen to be on the Rate.

The eight participants who are now currently taking service under AG-1 are: Walmart, Honeywell, Safeway, Home Depot, City of Phoenix, Marriott, Freeport McMoRan, and Kroger (collectively the "AG-1 Customers").

Under the terms of the Settlement Agreement approved by Decision No. 73183, Schedule AG-1 will expire on July 1, 2016, unless extended by the Commission. Additionally, under the terms of the Settlement Agreement, APS agreed not to file its next general rate case prior to May 31, 2015. APS will not be filing its next general rate case until June, 2016.

As new rates will likely not be implemented until the summer of 2017, absent action by the Commission to extend AG-1, the rate would expire on July 1, 2016. Existing industrial or commercial rates for the AG-1 Customers would be higher.

AG-1 Customers assert that the AG-1 program should not expire on July 1, 2016, but rather, should be extended until new rates are effective in APS' next rate case. It is likely that AG-1 Customers will seek to continue AG-1's favorable pricing and terms in the Company's next rate case.

Although APS agreed to AG-1, APS contends that it does not recover or defer costs associated with AG-1. APS has indicated that the net impact to it is in the range of \$10 million annually and it does not wish to continue absorbing that negative impact beyond the expiration date.

## **Background**

On November 20, 2014, Wal-Mart Stores, Inc. and Sam's West, Inc. (collectively "Walmart"); Freeport Minerals Corporation ("Freeport"); Safeway Inc. ("Safeway"); The Kroger Co. ("Kroger"); Nobel Americas Energy Solutions LLC ("Noble Solutions"); Constellation NewEnergy, Inc./an Exelon Company ("Constellation"); Shell Energy North America (US), L.P. ("Shell"); and Direct Energy Business, LLC ("Direct") (collectively, the "AG-Generation Service Providers") filed as ("Joint Movants" or "Movants"), a request that AG-1 be extended until such time as new rates go into effect for APS.

On November 24, 2014, the Residential Utility Consumer Office ("RUCO") responded to the Joint Movants request to extend AG-1. RUCO had no objection as long as the extension did not have an effect on the residential ratepayers' rates.

On December 1, 2014, APS responded in opposition to the Joint Movants' request. APS maintains that the AG-1 rate was designed as an experimental rate and points to the Settlement Agreement which calls for a careful review of the AG-1 program before any Commission decision to continue it beyond July 1, 2016. Further, APS suggests that any review should encompass an examination of the selection process; to determine if there is a better method for selecting the customers that ultimately participate in the program.

On December 8, 2014, the Arizona Investment Council ("AIC") filed in opposition to the Joint Movants' request and asked that the Commission deny it. AIC maintains that the term of the experimental AG-1 rate has another year and a half to run as outlined in the Settlement Agreement and Decision No. 73183 and that it is not necessary to extend it now. Further, there has been no study of the experimental AG-1 rate, which was agreed to be provided in the next APS rate case.

On December 17, 2014, the Joint Movants replied to APS' December 1, 2014 response, arguing that the Settlement Agreement language contemplated that AG-1 service would continue to be available until the conclusion of APS' next general rate case. Further, the Joint Movants noted that issues concerning the continuation of AG-1 were to be considered in that case. According to the Joint Movants, the language does not call for a separate report to be filed by APS to continue, modify, or terminate the program, and it does not specify that such a report must be prepared in advance and outside of the Company's next general rate case.

On March 10, 2015, Commissioner Doug Little wrote a letter to the Docket urging the parties to discuss whether mutually agreeable changes could be made to Schedule AG-1 that would allow a modified AG-1 rate to extend beyond July 1, 2016. Commissioner Little further requested that APS file a report and supporting testimony regarding the merits of extending Schedule AG-1. Additionally, the Commissioner invited other interested parties to submit their own studies on the topic.

On June 19, 2015, APS withdrew its opposition to the Joint Movant's request to extend AG-1, conditioned upon Commission approval of a Deferral Order to recoup unrecovered costs as discussed below for the extension of AG-1 beyond July 1, 2016. APS proposed to defer for possible future recovery 90 percent of the first \$10 million in unmitigated unrecovered costs in each 12 month period following June 30, 2016 and 100 percent of such unmitigated unrecovered costs over \$10 million in each similar period. The proposed deferral period would end with the conclusion of APS' next general rate case and be addressed by the Commission in that rate case.

On June 22, 2015, RUCO filed a supplemental response indicating that it did not oppose the Joint Movants' request or the Company's proposed Deferral Order as long as it had no effect, either immediate or in the long run, on the rates of the residential class.

On June 29, 2015, the Joint Movants replied to APS' withdrawal of opposition and request for a Deferral Order. The Joint Movants confirmed recent discussions with APS and requested that, in light of the withdrawal of opposition, the Commission proceed expeditiously to approve the Joint Motion and extension of AG-1.

On August 19, 2015, and again on September 4, 2015, representatives for the AG-1 Customers, APS, Joint Movant's and Staff met to discuss the matter.

## **Analysis**

Staff believes the Settlement Agreement and Decision No. 73183 give the parties clear direction as to how the AG-1 rate was to operate. The experimental rate was to sunset after four years at which time APS was to provide the Commission with a report and supporting testimony as to whether the rate should be continued, modified, or terminated in the next rate case.

Staff believes that the language pertaining to APS' next rate case is clear. "APS will not file its next general rate case before May 31, 2015." AG-1 customers should have been well aware that APS could file any time after May 31, 2015.

APS has alleged that there has been significant under-recovery of its costs since the implementation of AG-1 and that an extension of AG-1 would increase the under-recovery beyond what it had anticipated in the Settlement Agreement.

Staff was initially inclined to recommend that the AG-1 rate be allowed to expire on July 1, 2016 as provided in the Settlement Agreement, and address its continuance, modification or termination in APS' next rate case. However, considering the willingness and the efforts of the parties' to-date to discuss an extension of AG-1, Staff recommends the extension of AG-1 as long as no other rate payers are adversely affected as a result. To that end, Staff recommends a 50/50 sharing of the unmitigated unrecovered costs between the existing AG-1 customers and APS.

Among Staff's concerns that the long-term future prospects of AG-1 may be in jeopardy in APS' next rate case if the Commission approves a large deferral while leaving the responsibility for

its future recovery uncertain. Various Non AG-1 customers may, as a result of a deferral not contemplated in the Settlement Agreement, oppose AG-1 in the Company's next rate case. Even though Staff may support the extension of AG-1 in the next rate case with modifications that eliminate future unmitigated unrecovered costs, customers may fear creation of yet another deferral in the future for which they may later become responsible.

Further, with the absence of a second lottery and considering there are only eight customers who have been allowed to participate in the experimental AG-1 rate; Staff, like RUCO, (with respect to residential customers) does not believe it is fair to impose the deferral costs onto non AG-1 customers, likely including even those who wanted to participate in AG-1, but were not selected in the lottery. Even future customers desirable for economic development may be burdened with paying a portion of the deferral.

Thus, Staff can support an extension of AG-1 and a Deferral Order for possible future recovery with the modifications proposed by Staff herein. The deferred costs should be subject to 50/50 sharing among existing AG-1 customers and APS; and any costs that are deferred should be collected solely from existing AG-1 customers who have benefited from the rate. As a result, AG-1 customers would continue to benefit from AG-1 at approximately one-half of its current benefits, APS would recover approximately one-half of its unmitigated costs and non-AG-1 participants would not become responsible for a new deferral.

#### Recommendations

Staff recommends the continuation of the AG-1 rate for existing AG-1 customers until new rates become effective in APS' next general rate case, subject to the following conditions:

- a. APS will be permitted to defer for possible future recovery 50 percent in unmitigated unrecovered costs after June 30, 2016 and until new rates become effective, with the deferrals subject to review and approval in the Company's next rate case.
- b. Amounts deferred shall be recovered <u>only</u> from the eight existing AG-1 customers in accordance with a methodology developed in the Company's next rate case. Recovery shall not be avoided by termination of AG-1 in the next rate case or avoided by dropping off AG-1 or its follow-on equivalent after new rates are effective,
- c. As a result, APS will absorb the remaining 50 percent in unmitigated unrecovered costs after June 30, 2016 and shall not defer nor seek future recovery of its 50 percent share,
- d. The one-year notice period set forth in Rate Rider AG-1 shall be replaced by a sixmonth period.
- e. APS shall file an AG-1 plan of administration, for Commission approval, within 30 days of the effective date of a Commission decision to extend the AG-1 rate,
- f. The plan of administration shall set forth the proposed calculation method of unmitigated unrecovered cost, the deferral (including proposed calculation of amounts deferred and allocable to each existing AG-1 customer).

g. In determining the proposed unmitigated unrecovered cost calculation, APS shall include all relevant factors, including the revenue differentials between the amounts actually billed under AG-1 and the amounts that would have been billed absent the availability of the AG-1 rate, APS' avoided fuel costs, the impact of off system sales enabled by the availability of 200 MW that would have been needed to serve customers presently receiving service under AG-1, and any impacts for amounts that have been recovered or subject to recovery under the PSA.

Staff further recommends that APS file its report on the experimental AG-1 rate in its 2016 rate case.

An in North

Thomas M. Broderick

Director

Utilities Division

TMB:EMV:nr\MAS

ORIGINATOR: Eric M. Van Epps

1	BEFORE THE ARIZONA CORPORATION COMMISSION		
2	SUSAN BITTER SMITH Chairman		
3	BOB STUMP		
4	Commissioner BOB BURNS		
5	Commissioner DOUG LITTLE		
6	Commissioner TOM FORESE		
7	Commissioner		
8	IN THE MATTER OF THE APPLICATION ) DOCKET NO. E-01345A-11-0224		
9	OF ARIZONA PUBLIC SERVICE DECISION NO		
10	DETERMINE THE FAIR VALUE OF THE ORDER UTILITY PROPERTY OF THE COMPANY		
11	FOR RATEMAKING PURPOSES, TO FIX A > JUST AND REASONABLE RATE OF		
12	RETURN THEREON, TO APPROVE RATE (		
13	SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.		
14			
15	Open Meeting October 20 and 21, 2015		
16	Phoenix, Arizona		
17	BY THE COMMISSION:		
18	<u>FINDINGS OF FACT</u>		
19	1. Arizona Public Service Company ("APS" or "Company") is certificated to provide		
20	electric service as a public service corporation in the State of Arizona.		
21	2. On May 24, 2012, the Commission approved a 2011 Settlement Agreement is		
22	Decision No. 73183 which, among other provisions, includes an Experimental Rate Rider, Schedule		
23	AG-1 ("AG-1"). AG-1 is a buy-through rate for select industrial and large commercial customers		
24	intended to resemble a competitive-type rate. The program was capped at 200 megawatts, with		
25	participants subsequently chosen through a lottery process. The lottery was made available to		
26	applicants with an aggregated load of 10 megawatts or more. Thirteen applicants participated in the		
27	lottery and eight were chosen to be on the Rate.		
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- 3. The eight participants who are now cutrently taking service under AG-1 are: Walmart, Honeywell, Safeway, Home Depot, City of Phoenix, Marriott, Freeport McMoRan, and Kroger (collectively the "AG-1 Customers").
- Under the terms of the Settlement Agreement approved by Decision No. 73183, Schedule AG-1 will expire on July 1, 2016, unless extended by the Commission. Additionally, under the terms of the Settlement Agreement, APS agreed not to file its next general rate case prior to May 31, 2015. APS will not be filing its next general rate case until June, 2016.
- As new rates will likely not be implemented until the summer of 2017, absent action by 5. the Commission to extend AG-1, it will expire on July 1, 2016. Existing industrial or commercial rates for the AG-1 Customers would be higher.
- AG-1 Customers assert that the AG-1 program should not expire on July 1, 2016, but 6. rather, should be extended until new rates are effective in APS' next rate case. It is likely that AG-1 Customers will seek to continue AG-1's favorable pricing and terms in the Company's next rate case.
- Although APS agreed to AG-1, APS contends that it does not recover or defer costs associated with AG-1. APS has indicated that the net impact to it is in the range of \$10 million annually and it does not wish to continue absorbing that negative impact beyond the expiration date.

## Background

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- On November 24, 2014, the Residential Utility Consumer Office ("RUCO") 9. responded to the Joint Movants request to extend AG-1. RUCO had no objection as long as the extension did not have an effect on the residential ratepayers' rates.

10. On December 1, 2014, APS responded in opposition to the Joint Movants' request. APS maintains that the AG-1 rate was designed as an experimental rate and points to the Settlement Agreement which calls for a careful review of the AG-1 program before any Commission decision to continue it beyond July 1, 2016. Further, APS suggests that any review should encompass an examination of the selection process; to determine if there is a better method for selecting the customers that ultimately participate in the program.

- 11. On December 8, 2014, the Arizona Investment Council ("AIC") filed in opposition to the Joint Movants' request and asked that the Commission deny it. AIC maintains that the term of the experimental AG-1 rate has another year and a half to run as outlined in the Settlement Agreement and Decision No. 73183 and that it is not necessary to extend it now. Further, there has been no study of the experimental AG-1 rate, which was agreed to be provided in the next APS rate case.
- 12. On December 17, 2014, the Joint Movants replied to APS' December 1, 2014 response, arguing that the Settlement Agreement language contemplated that AG-1 service would continue to be available until the conclusion of APS' next general rate case. Further, the Joint Movants noted that issues concerning the continuation of AG-1 were to be considered in that case. According to the Joint Movants, the language does not call for a separate report to be filed by APS to continue, modify, or terminate the program, and it does not specify that such a report must be prepared in advance and outside of the Company's next general rate case.
- 13. On March 10, 2015, Commissioner Doug Little wrote a letter to the Docket urging the parties to discuss whether mutually agreeable changes could be made to Schedule AG-1 that would allow a modified AG-1 rate to extend beyond July 1, 2016. Commissioner Little further requested that APS file a report and supporting testimony regarding the merits of extending Schedule AG-1. Additionally, the Commissioner invited other interested parties to submit their own studies on the topic.
- 14. On June 19, 2015, APS withdrew its opposition to the Joint Movant's request to extend AG-1, conditioned upon Commission approval of a Deferral Order to recoup unrecovered costs as discussed below for the extension of AG-1 beyond July 1, 2016. APS proposed to defer for possible future recovery 90 percent of the first \$10 million in unmitigated unrecovered costs in each

Decision No.	

12 month period following June 30, 2016 and 100 percent of such unmitigated unrecovered costs over \$10 million in each similar period. The proposed deferral period would end with the conclusion of APS' next general rate case and be addressed by the Commission in that rate case.

- 15. On June 22, 2015, RUCO filed a supplemental response indicating that it did not oppose the Joint Movants' request or the Company's proposed Deferral Order as long as it had no effect, either immediate or in the long run, on the rates of the residential class.
- 16. On August 19, 2015, and again on September 4, 2015, representatives for the AG-1 Customers, APS, Joint Movant's and Staff met to discuss the matter.
- 17. On June 29, 2015, the Joint Movants replied to APS's withdrawal of opposition and request for a Deferral Order. The Joint Movants confirmed recent discussions with APS and requested that, in light of the withdrawal of opposition, the Commission proceed expeditiously to approve the Joint Motion and extension of AG-1.

## Analysis

- 18. Staff believes the Settlement Agreement and Decision No. 73183 give the parties clear direction as to how the AG-1 rate was to operate. The experimental rate was to sunset after four years at which time APS was to provide the Commission with a report and supporting testimony as to whether the rate should be continued, modified, or terminated in the next rate case.
- 19. Staff believes that the language pertaining to APS' next rate case is clear. "APS will not file its next general rate case before May 31, 2015." AG-1 customers should have been well aware that APS could file any time after May 31, 2015.
- 20. APS has alleged that there has been significant under-recovery of its costs since the implementation of AG-1 and that an extension of AG-1 would increase the under-recovery beyond what it had anticipated in the Settlement Agreement.
- 21. Staff was initially inclined to recommend that the AG-1 rate be allowed to expire on July 1, 2016 as provided in the Settlement Agreement, and address its continuance, modification or termination in APS' next rate case. However, considering the willingness and the efforts of the parties' to-date to discuss an extension of AG-1, Staff recommends the extension of AG-1 as long as

no other rate payers are adversely affected as a result. To that end, Staff recommends a 50/50 sharing of the unmitigated unrecovered costs between the existing AG-1 customers and APS.

- 22. Among Staff's concerns that the long-term future prospects of AG-1 may be in jeopardy in APS' next rate case if the Commission approves a large deferral while leaving the responsibility for its future recovery uncertain. Non AG-1 customers may, as a result of a deferral not contemplated in the Settlement Agreement, oppose AG-1 in the Company's next rate case. Even though Staff may support the extension of AG-1 in the next rate case with modifications that eliminate future unmitigated unrecovered costs, customers may fear creation of yet another deferral in the future for which they may be responsible.
- 23. Further, with the absence of a second lottery and considering there are only eight customers who have been allowed to participate in the experimental AG-1 rate; Staff, like RUCO (with respect to residential customers), does not believe it is fair to impose the deferral costs onto non AG-1 customers, likely including even those who wanted to participate in AG-1, but were not selected in the lottery. Even future customers desirable for economic development may be burdened with paying a portion of the deferral.
- 24. Thus, Staff can support an extension of AG-1 and a Deferral Order for possible future recovery with the modifications proposed by Staff herein. The deferred costs should be subject to 50/50 sharing among existing AG-1 customers and APS; and any costs that are deferred should be collected solely from existing AG-1 customers who have benefited from the rate. As a result, AG-1 customers would continue to benefit from AG-1 at approximately one-half of its current benefits, APS would recover approximately one-half of its unmitigated costs and non-AG-1 participants would not become responsible for a new deferral.

#### Recommendations

- 25. Staff recommends the continuation of the AG-1 rate for existing AG-1 customers until new rates become effective in APS' next general rate case, subject to the following conditions:
  - a. APS will be permitted to defer for possible future recovery 50 percent in unmitigated unrecovered costs after June 30, 2016 and until new rates become

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effective, with the deferrals subject to review and approval in the Company's next rate case.

- b. Amounts deferred shall be recovered <u>only</u> from the eight existing AG-1 customers in accordance with a methodology developed in the Company's next rate case. Recovery shall not be avoided by termination of AG-1 in the next rate case or avoided by dropping off AG-1 or its follow-on equivalent after new rates are effective.
- c. As a result, APS will absorb the remaining 50 percent in unmitigated unrecovered costs after June 30, 2016 and shall not defer nor seek future recovery of its 50 percent share.
- d. The one-year notice period set forth in Rate Rider AG-1 shall be replaced by a six-month period.
- e. APS shall file an AG-1 plan of administration, for Commission approval, within 30 days of the effective date of a Commission decision to extend the AG-1 rate.
- f. The plan of administration shall set forth the proposed calculation method of unmitigated unrecovered cost, the deferral (including proposed calculation of amounts deferred and allocable to each existing AG-1 customer).
- g. In determining the proposed unmitigated unrecovered cost calculation, APS shall include all relevant factors, including the revenue differentials between the amounts actually billed under AG-1 and the amounts that would have been billed absent the availability of the AG-1 rate, APS' avoided fuel costs, the impact of off system sales enabled by the availability of 200 MW that would have been needed to serve customers presently receiving service under AG-1, and any impacts for amounts that have been recovered or subject to recovery under the PSA.
- 27. Staff further recommends that APS file its report on the experimental AG-1 rate in its 2016 rate case.

## **CONCLUSIONS OF LAW**

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1. Arizona Public Service Company is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

The Commission has jurisdiction over Arizona Public Service Company and over the subject matter of the application.

3. The Commission, having reviewed the application and Staff's Memorandum dated September 25, 2015, concludes that it is in the public interest to continue Arizona Public Service Company's AG-1 rate as discussed herein.

### **ORDER**

IT IS THEREFORE ORDERED that Arizona Public Service Company continue the AG-1 rate for existing AG-1 customers until new rates become effective in APS' next general rate case, subject to the following conditions:

IT IS FURTHER ORDERED that Arizona Public Service Company will be permitted to defer for possible future recovery 50 percent in unmitigated unrecovered costs after June 30, 2016 and until new rates become effective, with the deferrals subject to review and approval in the Company's next rate case.

IT IS FURTHER ORDERED that amounts deferred shall be recovered only from the eight existing AG-1 customers in accordance with a methodology developed in the Company's next rate case. Recovery shall not be avoided by termination of AG-1 in the next rate case or avoided by dropping of AG-1 or its follow-on equivalent after new rates are effective.

IT IS FURTHER ORDERED that the one-year notice period set forth in Rate Rider AG-1 shall be replaced by a six-month period.

IT IS FURTHER ORDERED that Arizona Public Service Company will absorb the remaining 50 percent in unmitigated unrecovered costs after June 30, 2016 and shall not defer nor seek future recovery of its 50 percent share.

IT IS FURTHER ORDERED that Arizona Public Service Company shall file an AG-1 plan of administration, for Commission approval, within 30 days of the effective date of a Commission decision to extend the AG-1 rate.

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IT IS FURTHER ORDERED that Arizona Public Service Company's Plan of Administration shall set forth the proposed calculation method of unmitigated unrecovered cost, the deferral (including proposed calculation of amounts deferred and allocable to each existing AG-1 customer).

IT IS FURTHER ORDERED that Arizona Public Service Company, in determining the unmitigated unrecovered cost proposed calculation, APS shall include all relevant factors, including the revenue differentials between the amounts actually billed under AG-1 and the amounts that would have been billed absent the availability of the AG-1 rate, APS' avoided fuel costs, the impact of off system sales enabled by the availability of 200 MW that would have been needed to serve customers presently receiving service under AG-1, and any impacts for amounts that have been recovered or subject to recovery under the PSA.

Page 9 IT IS FURTHER ORDERED that Arizona Public Service Company file a report on the 1 experimental AG-1 rate in its 2016 rate case. 2 IT IS FURTHER ORDERED that Arizona Public Service Company file, as a compliance 3 item in this docket, an updated AG-1 tariff consistent with the aforementioned ordering language, 4 within 15 days of the effective date of the Decision in this case. 5 IT IS FURTHER ORDERED that this Decision shall become effective immediately. 6 7 BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION 8 9 10 CHAIRMAN 11 12 13 COMMISSIONER COMMISSIONER 14 15 16 17 18 19 JODI JERICH 20 EXECUTIVE DIRECTOR 21 DISSENT: 22 23 DISSENT: 24 TMB:EMV :nr /MAS 25

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1	SERVICE LIST FOR: Arizona Public Service Company DOCKET NO. E-01345A-11-0224		
2	DOCKET NO. E 013 1311 11 022		
3	Ms. Karen White	Mr. Gary Yaquinto	
4	AFLOA/JACL-ULT	2100 North Central Avenue, Suite 210 Phoenix, Arizona 85004	
5	139 Barnes Drive Tyndall Air Force Base, Florida 32403		
6	Mr. Samuel Miller	Ms. Melissa Krueger Mr. Thomas L. Mumaw	
	USAF Utility Law Field Support Center	400 North Fifth Street Suite 8695	
7	139 Barnes Avenue, Suite 1	Phoenix, Arizona 85004	
8	Tyndall AFB, Florida 32403	Mr. Scott Wakefield	
9	Ms. Jody Kyler	201 North Central Avenue Suite 3300	
10	36 East 7th Street, Suite 1510 Cincinnati, Ohio 45202	Phoenix, Arizona 85004-1052	
11	Mr. Kurt Boehm	Mr. Daniel Pozefsky	
	Boehm, Kurtz & Lowry	1110 West Washington, Suite 220	
12	36 East Seventh Street Suite 1510	Phoenix, Arizona 85007	
13	Cincinnati, Ohio 45202	Ms. Meghan Grabel	
1.4	Mr. Steve Chriss	2929 North Central Avenue Suite 2100	
14	Wal-Mart Stores, Inc.	Phoenix, Arizona 85012	
15	2001 S.E. 10th Street	Mr. Michael Curtis	
16	Bentonville, Arkansas 72716	Mr. Michael Curus Curtis, Goodwin, Sullivan, Udall & Schwab,	
	Mr. Timothy Hogan	PLC	
17	514 West Roosevelt	501 East Thomas Road	
18	Phoenix, Arizona 85003	Phoenix, Arizona 85012-3205	
19	Mr. Nicholas Enoch	Ms. Cynthia Zwick	
	349 North Fourth Avenue	1940 East Luke Avenue	
20	Phoenix, Arizona 85003	Phoenix, Arizona 85016	
21	Mr. Jay Moyes	Mr. C. Webb Crockett	
22	Moyes Sellers & Hendricks	Fennemore Craig, P.C 2394 E. Camelback Road, Suite 600	
23	Viad Corporate Center 1850 North Central Avenue	Phoenix, Arizona 85016	
	Suite 1100	Mr. Robert Metli	
24	Phoenix, Arizona 85004	2398 East Camelback Road, Suite. 240	
25	Mr. Jeffrey Crockett	Phoenix, Arizona 85016	
26	One East Washington Street Suite 2400	Mr. Greg Patterson	
27	Phoenix, Arizona 85004	2398 East Camelback Road, Suite. 240	
28		Phoenix, Arizona 85016	
20			

Gallagher & Kennedy, P.A. 275 East Camelback Road Phoenix, Arizona 85016-9225  Mr. John Moore, Jr. 7321 North 16th Street Phoenix, Arizona 85020  Mr. Craig Marks 10645 North Tatum Boulevard Suite 200-676 Phoenix, Arizona 85028  Mr. Thomas Loquwam Post Office Box 53999, MS 8695 Phoenix, Arizona 85072  Mr. Douglas Fant 3655 West Anthem Way -A-109 PMB 411 Anthem, Arizona 85086  Mr. Lawrence V. Robertson, Jr. Munger Chadwick, PLC Post Office Box 1048 K.R. SALINE & ASSOC., PLC 160 North Pasadena, Suite 101 Mr. David Berry Western Resource Advocates Post Office Box 1064 Scottsdale, Arizona 85284  Mr. David Berry Western Resource Advocates Post Office Box 1064 Scottsdale, Arizona 85284  Mr. David Berry Mr. David Berry Western Resource Advocates Post Office Box 1064 Scottsdale, Arizona 85284  Mr. David Berry Mr. David Mr. Da	1	Ms. Jennifer Cranston	
Mr. John Moore, Jr. 7321 North 16th Street Phoenix, Arizona 85020  Mr. Craig Marks 10645 North Tarum Boulevard Suite 200-676 Phoenix, Arizona 85028  Mr. Thomas Loquvam Post Office Box 53999, MS 8695 Phoenix, Arizona 85072  Mr. Thomas Loquvam Post Office Box 53999, MS 8695 Phoenix, Arizona 85072  Mr. Thomas Loquvam Post Office Box 53999, MS 8695 Phoenix, Arizona 85072  Mr. Douglas Fant 3655 West Anthem Way -A-109 PMB 411 Anthem, Arizona 85086  Mr. Lawrence V. Robertson, Jr. Munger Chadwick, PLC Post Office Box 1448  K.R. SALINE & ASSOC, PLC 160 North Pasadena, Suite 101 Mesa, Arizona 8501  Mr. David Berry Western Resource Advocates Post Office Box 1064 Scottsdale, Arizona 85284  Ms. Barbara Wyllie-Pecora 14410 West Gunsight Drive Sun City West, Arizona 85375  Mr. Bradley Carroll  Mr. Bradley Carro			
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