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ARIZONA CORPORATION COMMISSION

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October 5, 2015

AZ CORP COMMISSION
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RE: Applications for Rehearing on Decision No. 75251, Docket No. E-01345A-13-0248

To my fellow Commissioners and the Parties in the Docket:

I have reviewed the matters alleged in the Applications for Rehearing ("Applications") filed by several Interveners. After consideration of the Applications' allegations, I state at the outset of this response that I was not — and am not — biased against any party or any position taken herein. I did not prejudge any issue presented and considered the record with an open mind and acted fairly and impartially in my decision-making.

Also, I believe it is important to note that certain allegations made in the Applications fail to distinguish between the quasi-judicial role of a Corporation Commissioner and the rough-and-tumble political process in which he or she also operates. This is but one of the many failures of understanding reflected in the Applications.

Any general expressions on the nature and extent of cross-subsidization among ratepayer classes, net metering and the like are not "advocative statements in favor of the concepts advanced by Applicant Arizona Public Service." They are concepts that have an independent existence beyond the parties advocating for them, and are subject to debate across the country among serious people.

APS does not have exclusive purchase on these ideas, and my musings are not mirrors of APS's positions. My work at NARUC, EEI and elsewhere is part of the ongoing national discussion on ensuring equitable apportionment of grid costs, a debate which certain Interveners apparently wish would be squelched. The debate is ongoing, and it is subject (as one would expect) to reasoned debate based on the facts. Yet certain Interveners appear unable to distinguish between political satire and the serious stuff of ratemaking. To enter Facebook posts into the docket is surely a first for the Commission and, in my view, verges on parody.

Further, allegations that I advocated for the solar industry to be "killed" in a clearly satirical piece of creative writing — correctly called a "short story" — are disingenuous, to say the least. Ironically, Interveners' creative misreading proves my point: the tendency by some to claim that solar is being "killed" when, in fact, the opposite is occurring. These are salvos in an ongoing effort to shut down debate and exert a chilling effect on this Commission and its Commissioners.

Certain Interveners cite my alleged "threatening" letter to Sunrun's CEO as evidence of "hostility to solar issues." It appears these Interveners believe that any expression of concern regarding the behavior of a representative of a solar company — in this case,

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Sunrun — is demonstrative of “hostility” towards “solar” as a whole. Never mind my expressed concern that such behavior, in my words, “inflicts...harm to solar in Arizona.”

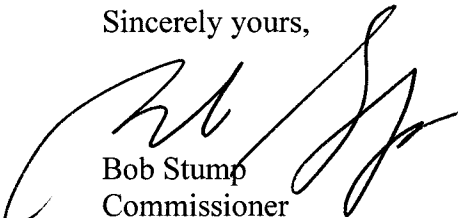
In addition, some Intervenors take umbrage at my entries on Facebook and Twitter, which they allege to be “openly taunting the rooftop solar industry.” Heaven forfend that the political tactics of some in the solar industry should escape scrutiny, and it is such scrutiny which I exercised — as well as light-hearted, often pointed satire. Apparently, the solar industry is populated by Victorian fan-wavers, yearning for a fainting couch, who must be protected from such humor.

Moreover, it appears some Intervenors have adopted the privacy-invading methods of the Checks and Balances Project, which chose to publish my family and personal friends’ names and numbers on the Internet. The entry into the public docket of personal Facebook photos — my page is a private, not official, page — was a gratuitous invasion of my privacy.

Although some may engage in personalities and question my colleagues’ and my motives and integrity, and assert that the solar industry and its advocates are fragile flowers which wither before the sunshine of vigorous debate, I will continue to discharge my duties to “support the Constitution of the United States and the Constitution and laws of the State of Arizona” and to discharge fairly and impartially the duties of my office. Ensuring a reliable, affordable and sustainable power supply for the future of our great state is far too important for me to do otherwise. I take my responsibilities — and my integrity — seriously.

Holding to account specific individuals and groups that do harm to the solar industry and to political discourse by engaging in demagogic rhetoric and behavior is not evidence of my holding “ill-will towards the solar industry.” It is evidence of being an adult who strives to seek truth in public policy and civility in public discourse.

Sincerely yours,



Bob Stump
Commissioner
Arizona Corporation Commission

CC: Service List