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AZ CORP COMMISSION
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Arizona Corporation Commission

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NOV 25 2015

Attorneys for Intervenor-Applicant IBEW Local 1116

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BEFORE THE ARIZONA

CORPORATION COMMISSION

IN THE MATTER OF THE
APPLICATION OF TUCSON
ELECTRIC POWER COMPANY FOR
THE ESTABLISHMENT OF JUST
AND REASONABLE RATES AND
CHARGES DESIGNED TO REALIZE
A REASONABLE RATE OF RETURN
ON THE FAIR VALUE OF THE
PROPERTIES OF TUCSON ELECTRIC
POWER COMPANY DEVOTED TO
ITS OPERATIONS THROUGHOUT
THE STATE OF ARIZONA AND FOR
RELATED APPROVALS.

Docket No. E-01933A-15-0322

**IBEW LOCAL 1116'S APPLICATION
FOR LEAVE TO INTERVENE**

Pursuant to A.A.C. R14-3-105(A) and (B), Local Union 1116, International Brotherhood of Electrical Workers, AFL-CIO ("IBEW Local 1116"), by and through undersigned counsel, hereby moves the Arizona Corporation Commission for leave to intervene as a party in the above-captioned matter. Counsel for Tucson Electric Power Company ("TEP") has advised the undersigned that TEP does not oppose the instant motion.

IBEW Local 1116 is directly and substantially affected by the proceedings inasmuch as it is the exclusive bargaining representative of approximately seven-hundred (700) non-managerial TEP employees. The Arizona Constitution expressly recognizes the employees of public service corporations as central stakeholders and their interests as important considerations for any

1 Commission action. Article XV, § 3 of the Arizona Constitution provides in this regard that
2 “[t]he Corporation Commission shall . . . make and enforce reasonable rules, regulations, and
3 orders for the convenience, comfort, and safety, and the preservation of the health, of the
4 employees and patrons of [public service corporations].”

5 Among many others, such represented employees includes employees in the following
6 crafts and classifications: linemen/cablemen, substation electricians, fuel handlers, electronics
7 technicians, equipment servicemen, field technicians, designers, heavy equipment and transport
8 operators, maintenance electricians, maintenance mechanics, and meter repairmen. Even a
9 cursory review of this illustrative list reveals that such represented employees are among those
10 who contribute daily, directly, and significantly to TEP’s efforts to provide safe and reliable
11 electric service to its customers.

12 IBEW Local 1116, in its capacity as the exclusive representative of these employees, and
13 TEP have entered into a long series of collective bargaining agreements (“CBA”) dating back to
14 November 16, 1937 concerning rates of pay, wages, hours of employment, and other terms and
15 conditions of employment. The current CBA remains in force between the parties with the
16 earliest date of termination being January 23, 2016. Furthermore, IBEW Local 1116 was a party
17 to the 2008 TEP Rate Case Settlement Agreement, which was approved in Decision No. 70628,
18 and to the 2012 TEP Rate Case Settlement Agreement, approved in Decision No. 73912.

19 As the foregoing demonstrates, IBEW Local 1116 not only has a direct interest in the
20 outcome of this rate proceeding, but what is more, there is a substantial risk that this case may
21 impair its interests absent being permitted to intervene into the above-captioned matter. IBEW
22 Local 1116 is confident that its participation in these proceedings will not unduly broaden the
23 issues presented herein. Similarly, given its unique status as the exclusive representative of many
24 TEP employees, no existing (or potential) party could adequately protect the interests of IBEW
25 Local 1116. IBEW Local 1116 submits that its participation will lead to a more well-reasoned
26 decision on the part of the Arizona Corporation Commission.

27 **WHEREFORE**, IBEW Local 1116 respectfully requests that the Commission issue an
28 order permitting it to intervene in this matter and according it full rights as a party of record.

1 RESPECTFULLY SUBMITTED this 25th day of November, 2015.

2 LUBIN & ENOCH, P.C.

3
4 *Nicholas J. Enoch* for NE
5 Nicholas J. Enoch, Esq.
6 Attorney for Intervenor-Applicant IBEW L. 1116

7 Original and thirteen (13) copies
8 of IBEW Local 1116's Application
9 to Intervene filed this 25th day
10 of November, 2015, with:

11 Arizona Corporation Commission
12 Docket Control Center
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14 Phoenix, Arizona 85007-2996

15 Copies mailed this same date to:

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