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Attorneys for Arizona Public Service Company

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

12 DOUG LITTLE, Chairman
 13 BOB STUMP
 14 BOB BURNS
 15 TOM FORESE
 16 ANDY TOBIN

Arizona Corporation Commission
DOCKETED

MAR 03 2016

DOCKETED BY	
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16 IN THE MATTER OF THE APPLICATION
 17 OF UNS ELECTRIC, INC. FOR THE
 18 ESTABLISHMENT OF JUST AND
 19 REASONABLE RATES AND CHARGES
 20 DESIGNED TO REALIZE A
 21 REASONABLE RATE OF RETURN ON
 THE FAIR VALUE OF THE PROPERTIES
 OF UNS ELECTRIC, INC. DEVOTED TO
 ITS OPERATIONS THROUGHOUT THE
 STATE OF ARIZONA, AND FOR
 RELATED APPROVALS.

DOCKET NO. E-04204A-15-0142

**APS'S RESPONSE TO
 SUPPLEMENT RECORD
 REGARDING TASC'S EXPEDITED
 MOTION FOR EXPEDITED
 RESPONSES TO DISCOVERY
 REQUESTS SERVED UPON APS**

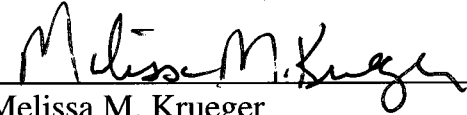
22 Arizona Public Service Company (APS) attaches to this filing the following two
 23 documents to aid in any discussion regarding TASC's Expedited Motion for Expedited
 24 Responses to Discovery Requests Served Upon APS Regarding Expert Witness
 25 Testimony of Ashley C. Brown and Cory Welch:

- 26 (1) TASC's Fifth Set of Data Requests to APS (received via email March
 27 2, 2016), attached as Exhibit 1; and
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(2) Email correspondence of March 2, 2016 between Court Rich and
Melissa Krueger regarding TASC's Fifth Set of Discovery, attached as
Exhibit 2.

RESPECTFULLY SUBMITTED this 3rd day of March, 2016.

By: 
Melissa M. Krueger
Thomas L. Mumaw
Thomas A. Loquvam
Attorneys for Arizona Public Service Company

ORIGINAL and thirteen (13) copies
of the foregoing filed this 3rd day of
March 2016, with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

COPY of the foregoing mailed/delivered
this 3rd day of March 2016 to:

Jane L. Rodda
Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

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1200 W. Washington
Phoenix, AZ 85007

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Thomas Broderick
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1200 W. Washington
Phoenix, AZ 85007

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Exhibit 1

ROSE
LAW GROUP_{pc}
RICH ■ HURLEY ■ CARTER

COURT S. RICH
7144 E. Stetson Drive, Suite 300
Scottsdale, Arizona 85251
Phone 480.505.3937 Fax 480.505.3925
CRich@roselawgroup.com
www.roselawgroup.com

March 2, 2016

SENT BY ELECTRONIC MAIL

thomas.loquvam@pinnaclewest.com

Thomas A. Loquvam
Pinnacle West Capital Corporation
400 N. 5th Street, MS 8695
Phoenix, Arizona 85004

**RE: TASC's Fifth Set of Data Requests to Arizona Public Service Company
UNS Docket No. E-04204A-15-0142**

Dear Mr. Loquvam:

Please find enclosed the Fifth Set of Data Requests from The Alliance for Solar Choice ("TASC") to APS ("APS") in the above-referenced matter. These requests are submitted pursuant to TASC's intervention in this Docket.

For purposes of this data request set, the words "you," and "your" refer to APS, and any representative, including every person and/or entity acting with, under the control of, or on behalf of APS. For purposes of this data request set, the word "communication" is used in the broad sense and includes, but is not limited to, any and all written or recorded exchanges, conversations, meetings, discussions, letters, memoranda and all other writings or documents consisting of the transmission of information. For each answer, please identify by name, title, and address each person providing the information that forms the basis for the response provided.

These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses. Please respond within **three (3) calendar days**. Should you require additional time, please contact me immediately.

Please deliver your responses by electronic delivery, including all attachments to: Court Rich - crich@roselawgroup.com and Hopi Slaughter - hslaughter@roselawgroup.com.

Should you have any questions or comments, please feel free to contact me directly at 480-505-3937.

Sincerely,


Court S. Rich

Attachment

**TASC'S FIFTH SET OF DATA REQUESTS
TO ARIZONA PUBLIC SERVICE COMPANY
UNS DOCKET NO. E-04204A-15-0142**

- TASC 5.1** Describe in detail and with particularity the date on which you retained your witness, Ashley C. Brown.
- TASC 5.2** Describe in detail and with particularity the date on which you retained your witness, Cory Welch.
- TASC 5.3** Provide the engagement or retention letters for your witnesses Ashley C. Brown and Cory Welch.
- TASC 5.4** Provide all communications and documents between you and Ashley C. Brown and you and Cory Welch, including emails and any attachments thereto, memoranda, articles, notes, reports, computer simulations, computer-generated data and reports, studies, work papers, test results, charts, graphs or other documents, written material or computerized media.
- TASC 5.5** Provide all drafts of "The Economic Impact of Distributed Solar in the APS Service Territory, 2016-2035" report attached to the Rebuttal Testimony of Ashley Brown and identified by you as "Attachment ACB-2SR".
- TASC 5.6** Provide all drafts of "Solar Project Return Analysis for Third Party Owned Solar Systems" report attached to the Rebuttal Testimony of Cory Welch and identified by you as "Attachment CJW-2SR".
- TASC 5.7** Provide all your communications and documents relating to "The Economic Impact of Distributed Solar in the APS Service Territory, 2016-2035" report attached to the Rebuttal Testimony of Ashley Brown and identified by you as "Attachment ACB-2SR" that you provided to or exchanged with the authors or anyone acting on their behalves of the report or received therefrom, including emails and any attachments thereto, work papers, memoranda, articles, notes, reports, computer simulations, computer-generated data and reports, studies, test results, charts, graphs or other documents, written material or computerized media or any information reviewed and/or relied on in forming their opinions in this matter regardless of source.
- TASC 5.8** Provide all your communications and documents relating to "Solar Project Return Analysis for Third Party Owned Solar Systems" report attached to the Rebuttal Testimony of Cory Welch and identified by you as "Attachment CJW-2SR" that you provided to the authors or anyone acting on their behalves of the report or received therefrom, including emails and any attachments thereto, work papers, memoranda, articles, notes, reports, computer simulations, computer-generated data and reports, studies, test results, charts, graphs or other documents, written material or computerized media or any information reviewed and/or relied on in forming their opinions in this matter regardless of source.

**TASC'S FIFTH SET OF DATA REQUESTS
TO ARIZONA PUBLIC SERVICE COMPANY
UNS DOCKET NO. E-04204A-15-0142**

- TASC 5.9** Provide all communications and documents between you and any third-party relating to "The Economic Impact of Distributed Solar in the APS Service Territory, 2016-2035" report attached to the Rebuttal Testimony of Ashley Brown and identified by you as "Attachment ACB-2SR", including emails and any attachments thereto, memoranda, articles, notes, reports, computer simulations, work papers, computer-generated data and reports, studies, test results, charts, graphs or other documents, written material or computerized media.
- TASC 5.10** Provide all communications and documents between you and any third-party relating to "Solar Project Return Analysis for Third Party Owned Solar Systems" report attached to the Rebuttal Testimony of Cory Welch and identified by you as "Attachment CJW-2SR", including emails and any attachments thereto, memoranda, articles, notes, reports, computer simulations, work papers, computer-generated data and reports, studies, test results, charts, graphs or other documents, written material or computerized media.
- TASC 5.11** Identify when the "The Economic Impact of Distributed Solar in the APS Service Territory, 2016-2035" report attached to the Rebuttal Testimony of Ashley Brown and identified by you as "Attachment ACB-2SR" was commissioned by you.
- TASC 5.12** Identify when the "Solar Project Return Analysis for Third Party Owned Solar Systems" report attached to the Rebuttal Testimony of Cory Welch and identified by you as "Attachment CJW-2SR" was commissioned by you.
- TASC 5.13** Identify who paid for "The Economic Impact of Distributed Solar in the APS Service Territory, 2016-2035" report attached to the Rebuttal Testimony of Ashley Brown and identified by you as "Attachment ACB-2SR".
- TASC 5.14** Identify who paid for "Solar Project Return Analysis for Third Party Owned Solar Systems" report attached to the Rebuttal Testimony of Cory Welch and identified by you as "Attachment CJW-2SR".
- TASC 5.15** Provide all billing invoices or any other documents that refer to or state the amounts paid by you or any other persons or entities for "The Economic Impact of Distributed Solar in the APS Service Territory, 2016-2035" report attached to the Rebuttal Testimony of Ashley Brown and identified by you as "Attachment ACB-2SR".
- TASC 5.16** Provide all billing invoices or any other documents that refer to or state the amounts paid by you or any other persons or entities for the "Solar Project Return Analysis for Third Party Owned Solar Systems" report attached to the Rebuttal Testimony of Cory Welch and identified by you as "Attachment CJW-2SR".
- TASC 5.17** Identify any other reports, studies, or work papers commissioned or planned to be commissioned by you relating to the economic impact of distributed solar.

**TASC'S FIFTH SET OF DATA REQUESTS
TO ARIZONA PUBLIC SERVICE COMPANY
UNS DOCKET NO. E-04204A-15-0142**

TASC 5.18 On March 1, 2016, APS attorneys indicated that witness Ashley Brown is unavailable to unable provide testimony because he is out of the Country after March 8, 2016. Please provide specific details as to Mr. Brown's travel schedule including evidence of receipts or reservations made for travel during this time period. Also, indicate when Mr. Brown returns and the first date he would be available to testify.

TASC 5.19 Provide all communications and documents between you and UNS Electric, Tucson Electric Power or Fortis relating to the above referenced rate case proceeding, including emails and any attachments thereto, memoranda, articles, notes, reports, computer simulations, work papers, computer-generated data and reports, studies, test results, charts, graphs or other documents, written material or computerized media.

Exhibit 2

Krueger, Melissa M

From: Court Rich <CRich@roselawgroup.com>
Sent: Wednesday, March 02, 2016 6:18 PM
To: Krueger, Melissa M
Cc: Loquvam, Thomas A; Hopi Slaughter; Mumaw, Thomas L
Subject: Re: UNS rate case discovery

Melissa, after not receiving a response by 5:00 we had directed that the Motion to expedite be distributed. I just got out of a meeting and now see that this came in a few minutes before the motion went out. That was not my intent. I will review this and do agree that we should discuss and can hopefully report to the judge that we have worked this out. If not, we can discuss with Judge Rodda in the morning.

Court S. Rich
Rose Law Group, pc
cell: 602.741.3794

Sent from my iPhone

On Mar 2, 2016, at 5:46 PM, "Melissa.Krueger@pinnaclewest.com" <Melissa.Krueger@pinnaclewest.com> wrote:

Court,

APS proposes to respond to requests 5.1, 5.2, 5.3, 5.11, 5.12, 5.13, 5.14, 5.15., 5.16, 5.17 within 3 calendar days. We will shoot for Friday, but it might be Saturday morning.

As to the remaining requests, APS has a number of concerns regarding their breadth, scope, and the burden given the potential lack of relevance of certain of the information requested. Further, these types of administrative proceedings, where the bulk of the evidence is presented via written testimony, do not involve these types of data requests such as drafts and written communications with witnesses. If they did, all parties would be responsible for producing drafts and communications, which would be unduly burdensome for all parties, particularly ACC Staff.

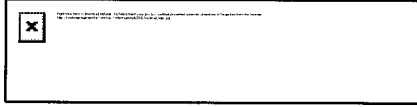
The court's procedural order contemplates the handling of discovery disputes telephonically. Thus, perhaps we could discuss before the hearing or at a break and then collaboratively raise this issue with the Judge and get her input on how she would like us to move forward.

Regards,
Melissa Krueger
Senior Attorney for APS

From: Court Rich [<mailto:CRich@roselawgroup.com>]
Sent: Wednesday, March 02, 2016 4:55 PM
To: Krueger, Melissa M; Loquvam, Thomas A
Cc: Hopi Slaughter; Mumaw, Thomas L
Subject: RE: UNS rate case discovery

In addition Melissa, let me know which items you could respond to in fewer than three days. Information requested today could then be returned by Friday.

Court S. Rich



7144 E Stetson Drive, Suite 300, Scottsdale Arizona 85251
Direct: 480.505.3937 || Mobile: 602.741.3794

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From: Court Rich

Sent: Wednesday, March 2, 2016 12:57 PM

To: 'Melissa.Krueger@pinnaclewest.com' <Melissa.Krueger@pinnaclewest.com>;

Thomas.Loquvam@pinnaclewest.com

Cc: Hopi Slaughter <hslaughter@roselawgroup.com>; Thomas.Mumaw@pinnaclewest.com

Subject: RE: UNS rate case discovery

Melissa,

See attached. Let me know which items you can respond to on the 3 day or faster time clip please by 5:00pm today. We may send along another as well. Appreciate your quick turnaround here.

Court S. Rich



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From: Melissa.Krueger@pinnaclewest.com [mailto:Melissa.Krueger@pinnaclewest.com]

Sent: Wednesday, March 2, 2016 12:13 PM

To: Court Rich <CRich@roselawgroup.com>; Thomas.Loquvam@pinnaclewest.com

Cc: Hopi Slaughter <HSlaughter@roselawgroup.com>; Thomas.Mumaw@pinnaclewest.com

Subject: RE: UNS rate case discovery

Court,

We will do our best to respond as quickly as possible under the circumstances. Depending upon the volume and scope of the requests we might be able to agree to shorter turn around as you suggest, particularly as to anything involving Mr. Brown. However, I need to see the requests before I can agree to a 3-day turn around. If you want to send them over, we can take a look and let you know this afternoon.

Melissa

From: Court Rich [mailto:CRich@roselawgroup.com]

Sent: Wednesday, March 02, 2016 12:08 PM

To: Loquvam, Thomas A; Krueger, Melissa M

Cc: Hopi Slaughter; Court Rich

Subject: UNS rate case discovery

USE CAUTION - EXTERNAL SENDER: (CRich@roselawgroup.com)

Do not click on links or open attachments that are not expected.

For questions or concerns, please email the APS Information Systems Security team at ISS@apsc.com or contact the APS Helpdesk.

Thomas and Melissa,

We are going to be serving additional discovery related to the last minute APS witnesses today. Is APS willing to stipulate to a 3 calendar day turnaround on discovery? If not, we will be filing a motion seeking accelerated discovery timelines. Given the timing of things, please respond promptly. Thanks for considering this request.

Court S. Rich



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Direct: 480.505.3937 || Mobile: 602.741.3794

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