



ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

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AZ CORP COMMISSION DOCKET CONTROL

IN THE MATTER OF THE COMMISSION'S INVESTIGATION OF VALUE AND COST OF DISTRIBUTED GENERATION.

DOCKET NO. E-00000J-14-0023

PROCEDURAL ORDER

BY THE COMMISSION:

On December 3, 2013, the Arizona Corporation Commission ("Commission") issued Decision No. 74202 in Docket No. E-01345A-13-0248. As part of that Decision, the Commission ordered that a generic docket be opened on net metering ("NM") issues, and that workshops be held with all stakeholders to help inform future Commission policy on the value that distributed generation ("DG") installations bring to the grid.¹ As a result, this docket was opened.

On October 20, 2015, at its regularly scheduled Open Meeting, in the course of considering Docket No. E-01345A-13-0248,² the Commission ordered that an evidentiary hearing be held in this generic docket to include, in addition to the value and cost of DG, cost of service issues related to Arizona Public Service Company's ("APS's") provision of service to DG and non-DG customers.

Parties to this case include: The Alliance for Solar Choice ("TASC"), Clean Power Arizona, Freeport Minerals Corporation ("Freeport Minerals"), Arizonans for Electric Choice and Competition ("AECC"), Arizona Solar Deployment Alliance ("ASDA"), Vote Solar, Arizona Utility Ratepayer Alliance ("AURA"), Arizona Investment Council ("AIC"), the Residential Utility Consumer Office ("RUCO"), Grand Canyon State Electric Cooperative Association, Inc. ("GCSECA"), Arizona Competitive Power Alliance ("ACPA"), Western Resource Advocates ("WRA"), Ajo Improvement Company ("Ajo"), Arizona Electric Power Cooperative, Inc. ("AEPCO"), APS, Columbus Electric Cooperative, Inc. ("CEC"), Dixie-Escalante Rural Electric Association, Inc. ("Dixie-Excalante"),

¹ Decision No. 74202 at 30.

² In the matter of the application of Arizona Public Service Company for approval of net metering cost shift solution. The Commission closed Docket No. E-01345A-13-0248 by Decision No. 75290 (October 27, 2015).

1 Duncan Valley Electric Cooperative, Inc. ("DVEC"), Garkane Energy Cooperative, Inc. ("Garkane"),
2 Graham County Electric Cooperative, Inc. ("GCEC"), Mohave Electric Cooperative, Inc. ("MEC"),
3 Morenci Water and Electric Company ("MWE"), Navopache Electric Cooperative, Inc. ("NEC"),
4 Sulphur Springs Valley Electric Cooperative, Inc. ("SSVEC"), Trico Electric Cooperative, Inc.
5 ("Trico"), Tucson Electric Power Company ("TEP"), UNS Electric, Inc. ("UNSE"), Patricia Ferré,
6 Nancy Baer, Arizona Solar Energy Industries Association ("ARISEIA"), Local Unions 387, 1116 and
7 769 of the International Brotherhood of Electrical Workers, AFL-CIO ("IBEW"), Lewis M. Levenson,
8 Susan Pitcairn, Richard Pitcairn, and the Commission's Utilities Division ("Staff").

9 Numerous public comments have been filed.

10 The hearing on this matter is scheduled to commence on April 18, 2016.

11 On February 25, 2016, direct testimony in this matter was filed by APS, TEP, UNSE, SSVEC,
12 GSECA, AIC, IBEW, Vote Solar, TASC, RUCO, and Staff.

13 On February 29, 2016, Patricia Ferré filed a Motion for Procedural Order Taking Official
14 Judicial Notice of Filings in Generic Docket Nos. E-00000C-11-0328 and E-01345A-13-0069.

15 On February 29, 2016, ARISEIA filed a Notice of Change of Representative, to which was
16 attached a copy of a Board Resolution dated February 11, 2016. The Board Resolution designated
17 ARISEIA's President and Chairman as its official representative in all matters before the Commission,
18 and appointed Tom Harris as its President and Chairman.

19 On February 29, 2016, ARISEIA filed its Consent to Email Service.

20 On March 8, 2016, Ms. Ferré filed comments.

21 Mr. Harris is an officer of ARISEIA, which is a non-profit organization. Pursuant to Arizona
22 Supreme Court Rule 31(d)(28) ("Rule"), Mr. Harris may represent ARISEIA's interests in this
23 proceeding, as a lay representative. The Rule provides that counsel may be required in lieu of lay
24 representation, if it is determined that lay representation is interfering with the orderly progress of the
25 proceeding, imposing undue burdens on the other parties, or causing harm to the party represented.

26 ARISEIA has opted to receive service of all filings in this docket, including all filings by parties
27 and all Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by
28 the Commission's Hearing Division, via its designated email address rather than via U.S. Mail.

1 ARISEIA exercised this option by docketing a hard copy of its Consent to Email Service and by sending
2 an email containing Mr. Harris's name and the docket number for this matter to
3 HearingDivisionServicebyEmail@azcc.gov from his designated email addresses. The Hearing
4 Division has verified the validity of the designated email address, which now appears on the service
5 list for this matter in addition to an address for U.S. Mail.

6 Ms. Ferré's February 29, 2016 Motion for Procedural Order Taking Official Judicial Notice of
7 Filings in Generic Docket Nos. E-00000C-11-0328 and E-01345A-13-0069 will be considered at the
8 pre-hearing conference scheduled for April 15, 2016 at 10:00 a.m., along with any other procedural
9 issues that need to be addressed.

10 IT IS THEREFORE ORDERED that pursuant to Arizona Supreme Court Rule 31(d)(28), Tom
11 Harris may represent the interests of ARISEIA in this proceeding as a lay representative. Counsel may
12 be required if it is determined that lay representation is interfering with the orderly progress of the
13 proceeding, imposing undue burdens on the other parties, or causing harm to ARISEIA.

14 IT IS FURTHER ORDERED that the request by ARISEIA to receive service of all filings in
15 this docket, including all filings by parties and all Procedural Orders and Recommended Opinions and
16 Orders/Recommended Orders issued by the Commission's Hearing Division, via its designated email
17 address rather than via U.S. Mail, is hereby approved.

18 IT IS FURTHER ORDERED that a party's election to receive service of all filings in this matter
19 via email does not change the requirement that all filings with the Commission's Docket Control must
20 be made in hard copy and must include an original and 13 copies.

21 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
22 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
23 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
24 all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled
25 for discussion, unless counsel has previously been granted permission to withdraw by the
26 Administrative Law Judge.

1 IT IS FURTHER ORDERED that, as permitted under A.A.C. R14-3-107(B), each party to this
2 matter may opt to receive service of all filings in this docket, including all filings by parties and all
3 Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the
4 Commission's Hearing Division, via email sent to an email address provided by the party rather than
5 via U.S. Mail. To exercise this option, a party shall:

- 6 1. Ensure that the party has a valid and active email address to which the party has regular
7 and reliable access ("designated email address");
- 8 2. Complete a Consent to Email Service using the form available on the Commission's
9 website (www.azcc.gov) or a substantially similar format;
- 10 3. File the original and 13 copies of the Consent to Email Service with the Commission's
11 Docket Control, also providing service to each party to the service list;
- 12 4. Send an email, containing the party's name and the docket number for this matter, to
13 HearingDivisionServicebyEmail@azcc.gov from the designated email address, to allow
14 the Hearing Division to verify the validity of the designated email address;
- 15 5. Understand and agree that service of a document on the party shall be complete upon
16 the sending of an email containing the document to the designated email address,
17 regardless of whether the party receives or reads the email containing the document;
18 and
- 19 6. Understand and agree that the party will no longer receive service of filings in this
20 matter through First Class U.S. Mail or any other form of hard-copy delivery, unless
21 and until the party withdraws this consent through a filing made in this docket.

22 IT IS FURTHER ORDERED that a party's consent to email service shall not become effective
23 until a Procedural Order is issued approving the use of email service for the party. The Procedural
24 Order shall be issued only after the party has completed steps 1 through 4 above, and the Hearing
25 Division has verified receipt of an email from the party's designated email address.

26 ...

27 ...

28 ...

1 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
2 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at a
3 hearing.

4 DATED this 24th day of March, 2016.

5
6 

7 TEENA JIBULIAN
8 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 24th day of March, 2016 to:

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