

ORIGINAL

INTERVENTION



0000171695

Court S. Rich AZ Bar No. 021290
Rose Law Group pc
7144 E. Stetson Drive, Suite 300
Scottsdale, Arizona 85251
Email: CRich@RoseLawGroup.com
Direct: (480) 505-3937
Fax: (480) 505-3925
Attorney for Intervenor, Energy Freedom Coalition of America

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BEFORE THE ARIZONA CORPORATION COMMISSION

DOUG LITTLE
CHAIRMAN

BOB STUMP
COMMISSIONER

BOB BURNS
COMMISSIONER

TOM FORESE
COMMISSIONER

ANDY TOBIN
COMMISSIONER

IN THE MATTER OF THE) DOCKET NO. E-01345A-16-0036
APPLICATION OF ARIZONA)
PUBLIC SERVICE COMPANY FOR)
A HEARING TO DETERMINE THE)
FAIR VALUE OF THE UTILITY)
PROPERTY OF THE COMPANY) THE ENERGY FREEDOM COALITION
FOR RATEMAKING PURPOSES, TO) OF AMERICA'S APPLICATION FOR
FIX A JUST AND REASONABLE) LEAVE TO INTERVENE
RATE OF RETURN THEREON, TO)
APPROVE RATE SCHEDULES)
DESIGNED TO DEVELOP SUCH)
RETURN.)

Pursuant to A.A.C. R14-3-105, the Energy Freedom Coalition of America, LLC, a Delaware limited liability company¹ ("EFCA") registered to do business in the State of Arizona, hereby makes its Application for Leave to Intervene (the "Application") in the above captioned matter (the "Matter").

EFCA represents businesses that develop, provide, and research customers' adoption of residential and commercial distributed energy resources ("DERs") including, but not limited to, distributed generation solar ("DG Solar"). EFCA promotes its members' interests in providing these products by participating in a variety of fora, including in public utility commission

¹ As of the date of this filing, its members include Silevo, Inc., SolarCity Corporation, ZEP Solar, LLC, 1 Sun Solar Electric, LLC, Go Solar, LLC, and Ecological Energy Systems.

1 proceedings across the nation and in the courts; and in keeping with its mission, has intervened in
2 several dockets at the Commission to date.² In support of this Application, EFCA states as follows:

3 **I. EFCA is Directly and Substantially Affected**

4 EFCA is entitled to intervene because the proposals at issue in the Matter directly and
5 substantially impact, among other things, the retail price of electricity and the rate design through
6 which customers are charged for utility services which directly and substantially affect the
7 economic viability of residential and commercial DERs and therefore, electricity consumers'
8 demand for such products. EFCA seeks intervention in this docket so as to ensure that this utility
9 rate case will not impede the adoption of DERs by residential and commercial utility customers.
10 In this Matter, the Applicant makes numerous proposals that will materially impact the value of
11 DERs to the utility customer and therefore, materially impact the providers of such products. One
12 example of such a proposal is the Applicant's request to implement new rate designs for hundreds
13 of thousands of residential and commercial customers. The proposed rate designs (such as those
14 pertaining to fixed costs) could remove customers' incentives to conserve energy, which will
15 directly and substantially affect the value of energy-saving DERs to the utility's customers. In
16 addition to the rate design issue identified in the preceding example, proposals regarding the
17 utility's rate base, rate of return, treatment of adjuster mechanisms, and cost recovery make up just
18 a few more of the numerous issues that will directly and substantially affect EFCA's interests.
19 As such, EFCA will be directly and substantially affected by the Matter.

20 **II. EFCA's Intervention Will Not Broaden These Proceedings**

21 Granting EFCA intervenor status will not unduly broaden the issues or prejudice other
22 parties to the Docket.

23 **III. EFCA's Interests are Unique and no Other Party can Adequately Represent**
24 **EFCA's Interests**

25 As set forth below, EFCA is concerned with, and directly and substantially affected by, a
26 diverse range of issues in the Matter. EFCA is not and cannot be adequately represented by any

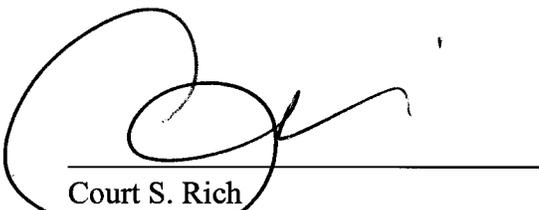
27 ² See Tucson Electric Power's 2016 Renewable Energy Standard and Tariff Implementation Plan, Docket No. E-
28 01933A-15-0239; Tucson Electric Power Rate Case, Docket No. E-01933A-15-0322; Sulphur Springs Valley
Electric Cooperative Rate Case, Docket No. E-01575A-15-0312; Trico Electric Cooperative Rate Case, Docket No.
E-01461A-15-0363.

1 other party. In order for DER developers to provide these valuable products and services,
2 electricity customers must be presented with appropriate tariffs and other price signals that will
3 lead them to want to choose to avail themselves of DER. As a result, the value of DER providers'
4 products and services is uniquely dependent on the signals sent by rates on the customer's usage
5 of energy and the distribution system, giving EFCA a direct interest in ensuring that the outcomes
6 of this proceeding continue to support customers' DER adoption. Resolution of the many issues
7 impacted by the utility's proposal, which include, but are in no way limited to, the utility's rate
8 base, rate of return, residential rate design, commercial rate design, energy storage, demand-side
9 resources in general, residential distributed solar, non-residential distributed solar, utility scale
10 generation including traditional and renewable generation, the lost fixed cost recovery mechanism
11 and fixed cost recovery generally, the treatment of adjuster mechanisms, cost of service, the value
12 of distributed solar, and more, will each directly and substantially affect customers' adoption of
13 DERs in APS service territory.

14
15 Service of all documents or pleadings should be made to EFCA counsel at the following
16 address:

17 Court S. Rich
18 Rose Law Group pc
19 7144 E. Stetson Drive, Suite 300
20 Scottsdale, Arizona 85251
21 CRich@roselawgroup.com

22 Respectfully submitted this 15th day of July, 2016.

23
24 
25 _____
26 Court S. Rich
27 Rose Law Group pc
28 Attorney for Intervenor EFCA

1 **Original and 13 copies filed on**
2 **this 15th day of July, 2016 with:**

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, Arizona 85007

6 Copy of the foregoing sent by electronic or regular mail to:

7 Richard Gayer
8 526 W. Wilshire Dr.
9 Phoenix, AZ 85003
10 rgayer@cox.net

Meghan Grabel
OSBORN MALEDON, PA
2929 N. Central Ave., Suite 2100
Phoenix, AZ 85012
mgrabel@omlaw.com

10 Janice Alward
11 AZ Corporation Commission
12 jalward@azcc.gov

Patrick Black
FENNEMORE CRAIG, P.C.
2394 E. Camelback Rd., Ste. 600
Phoenix, AZ 85016
pblack@fclaw.com

13 Thomas Broderick
14 Arizona Corporation Commission
15 1200 W. Washington Street
16 Phoenix, Arizona 85007
17 tbroderick@azcc.gov

Thomas Loquvam - Pinnacle West Capital
Corp.
400 N. 5th St., MS 8695
Phoenix, AZ 85004
Thomas.loquvam@pinnaclewest.com

16 Dwight Nodes
17 Arizona Corporation Commission
18 1200 W. Washington Street
19 Phoenix, Arizona 85007-2927
20 dnodes@azcc.gov

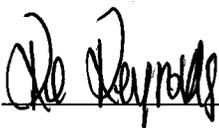
Greg Eisert
10401 W. Coggins Dr.
Sun City, AZ 85351
gregeisert@gmail.com

20 Timothy Hogan
21 ARIZONA CENTER FOR LAW
22 IN THE PUBLIC INTEREST
23 202 E. McDowell Rd. - 153
24 Phoenix, AZ 85004
25 thogan@aclpi.org

Patricia Ferre
P.O Box 433
Payson, AZ 85547
pferreact@mac.com

24 Anthony Wanger
25 Alan Kierman
26 IO DATA CENTERS, LLC
27 615 N. 48th St.
28 Phoenix, AZ 85008
t@io.com
akierman@io.com

Warren Woodward
55 Ross Circle
Sedona, AZ 86336
w6345789@yahoo.com

By:  _____