

ORIGINAL

INTERVENTION



0000172179

BEFORE THE ARIZONA CORPORATION

COMMISSIONERS
DOUG LITTLE, CHAIRMAN
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

Arizona Corporation Commission

DOCKETED

AUG 01 2016

DOCKETED BY

IN THE MATTER OF THE APPLICATION) DOCKET NO. E-01345A-16-0036
OF ARIZONA PUBLIC SERVICE)
COMPANY FOR A HEARING TO)
DETERMINE THE FAIR VALUE OF THE) **NOBLE AMERICAS ENERGY**
UTILITY PROPERTY OF THE COMPANY) **SOLUTIONS APPLICATION FOR**
FOR RATEMAKING PURPOSES, TO FIX A) **LEAVE TO INTERVENE**
JUST AND REASONABLE RATE OF)
RETURN ON THE FAIR VALUE OF THE)
PROPERTIES OF ARIZONA PUBLIC)
SERVICE COMPANY DEVOTED TO ITS)
OPERATIONS THROUGH THE STATE OF)
ARIZONA, AND FOR RELATED)
APPROVALS.)

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Pursuant to A.A.C. R14-3-105, Noble Americas Energy Solutions LLC (Noble
Solutions”) hereby makes Application for Leave to Intervene (“Application”) in the above-
captioned and above-docketed proceeding (“Instant proceeding”). In support of its Application,
Noble Solutions submits the following information.

I.

DESCRIPTION OF NOBLE SOLUTIONS

Noble Solutions is 100% owned by Noble Americas Gas & Power LLC, which in turn is
100% owned by Noble Group Ltd. (“Noble Group”). Noble Group is a market-leading global
supply chain manager of agricultural and energy products, metals and minerals. Noble Group is
listed in Singapore (SGX: N21), with headquarters in Hong Kong and operates from over 140
locations. Noble Solutions offers a suite of commodity products and commodity services
structured to meet the unique needs of energy users and to capture the benefits of choice at the

1 retail level of electricity and natural gas consumption. These commodity products include fixed
2 price, index price and renewable energy, and commodity services include Powerfolio 3D, Online
3 Energy Analyzer and market reports. At present Noble Solutions serves commercial and industrial
4 customers and institutions of higher learning in the states of California, Connecticut, Delaware,
5 District of Columbia, Illinois, Maine, Maryland, Massachusetts, Michigan, Nevada, New
6 Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, and Texas, and
7 also in Baja California, Mexico.
8

9 **II.**

10 **CIRCUMSTANCES OCCASIONING NOBLE SOLUTIONS'**

11 **INTERVENTION REQUEST**

12 In its May 24, 2012 Decision No. 73183 in APS' 2011 rate case, the Commission approved
13 Experimental Rate Rider Schedule AG-1, Alternative Generation General Service ("AG-1
14 Program") for a four (4)-year period, commencing on July 1, 2012. Thereafter, following
15 discussions with prospective customers and third-party providers of alternative generation service,
16 APS implemented the AG-1 Program effective July 1, 2012. In that regard, APS conducted a
17 lottery to identify prospective candidates and ultimately select the AG-1 Program participants.
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19

20 Noble Solutions successfully negotiated an AG-1 Program generation service contract with
21 one (1) of APS's customers who was selected by APS to participate in the AG-1 Program, and
22 Noble Solutions continuously has been providing generation service to its AG-1 Program customer
23 since commencement of the Program. In that regard, in its November 25, 2015 Decision No.
24 75322, the Commission extended the duration of the AG-1 Program until at least the date on which
25 new rates and charges become effective as a result of a final decision in APS' then contemplated
26 2016 rate case, which was yet to be filed.
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2 On June 1, 2016, APS filed its 2016 rate case which is the subject of the above-captioned
3 and above-docketed proceeding ("Instant Proceeding"). Included in its Application and supporting
4 prepared Direct Testimony and Exhibits is a request by APS that the AG-1 Program be terminated.
5 Needless to say, a Commission decision either granting APS' request for termination of the
6 Program or substantially modifying the same could have a direct and substantial impact on Noble
7 Solutions within the contemplation and meaning of A.A.C. R14-3-105. In that regard, Noble
8 Solutions' intervention and participation as a party of record in the Instant Proceeding will not
9 unduly delay the conduct of the same, inasmuch as Noble Solutions currently does not contemplate
10 raising issues not already raised directly or indirectly by APS in its June 1, 2016 filing.
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13 **III.**

14 **SATISFACTION OF REQUIREMENTS FOR INTERVENTION PRESCRIBED**

15 **BY A.A.C. R14-3-105**

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17 Against the background of Sections 1 and II above, Noble Solutions believes that it has
18 fully satisfied the requirements of A.A.C. R14-3-105 governing requests for intervention in
19 proceedings before the Commission. First, as an existing third party provider of electric generation
20 service to an existing AG-1 Program customer pursuant to a contract complying with the AG-1
21 Program protocols and requirements, Noble Solutions will be "substantially and directly affected"
22 by a Commission decision in the Instant Proceeding as to whether or not to terminate the AG-1
23 Program, as requested by APS, or to continue the same in either its existing or some modified form
24 and content. In addition, as one (1) of the Joint Movants in the motion requesting extension of the
25 AG-1 Program, which motion was the subject of the Commission's Decision No75322, Noble
26 Solutions also has an interest in how the Commission addresses and resolves certain questions
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1 identified in Decision No. 75322 that were deferred for a final decision by the Commission within
2 the context of the Instant Proceeding. Second, Noble Solutions' intervention and participation in
3 the Instant Proceeding will not delay the same or broaden the issues to be considered therein,
4 because APS itself has included the status of the AG-1 Program and asserted alternatives thereto
5 for serving large commercial and industrial customers as a part of its June 1, 2016 filing with the
6 Commission.

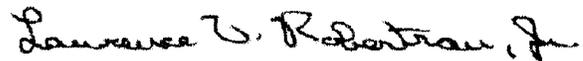
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9 **IV.**

10 **CONCLUSION**

11 WHEREFORE, Noble Solutions hereby requests that the Commission enter an appropriate
12 form of order granting (i) Noble Solutions' Application for Leave to Intervene in the Instant
13 Proceeding and (ii) Noble Solutions all rights as a party of record therein.

14
15 Dated this 29th day of July 2016.

16
17 Respectfully submitted,

18 

19
20 Lawrence V. Robertson, Jr.
21 Attorney for Noble Americas Energy Solutions LLC

22 The original and thirteen (13) copies
23 of the foregoing will be mailed
24 this 29th day of July 2016 with:

25 Docket Control
26 Arizona Corporation Commission
27 1200 West Washington Street
28 Phoenix, Arizona 85007

A copy of the same served by e-mail
or first class mail that same date to:

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- 19 All Other Parties of Record
- 20
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