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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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IN THE MATTER OF THE APPLICATION OF TRICO ELECTRIC COOPERATIVE, INC., AN ARIZONA NONPROFIT CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES FOR UTILITY SERVICE AND FOR RELATED APPROVALS.

DOCKET NO. E-01461A-15-0363

STAFF'S REPLY BRIEF

Arizona Corporation Commission
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I. INTRODUCTION.

The Arizona Corporation Commission ("Commission") Staff hereby responds to the Post Hearing Briefs filed by the Energy Freedom Coalition of America ("EFCA") and Trico Electric Cooperative, Inc. ("Trico" or "Cooperative"). Since the initial briefs were filed, there were also two letters filed in the docket by Commissioners which Staff will address.[1]

The issues involving rooftop solar are some of the most difficult and contentious issues to come before the Commission in recent years. Since the Settlement Agreement ("Settlement") between Staff and Trico was signed, additional Commission guidance has been provided on these issues in the recent UNS Electric, Inc. ("UNSE") and Sulphur Springs Valley Electric Cooperative ("SSVEC") rate case Orders. These Orders recognize the importance of consistency in application of the various Commission policy determinations but at the same time also acknowledge that each case stands on its own merits. Although any significant departure from Commission policy determinations must generally be supported, Staff believes that the record in this case contains such a showing and demonstrates that the proposed Settlement is in the public interest.

[1] Chairman Little filed a letter dated October 21, 2016 and Commissioner Tobin filed a letter dated October 12, 2016.

Staff believes that the Settlement's provisions on Distributed Generation ("DG"), while not identical to the provisions of the Orders, are consistent with the intent and spirit of those decisions.

For the reasons discussed below, Staff believes that the Settlement is in the public interest and requests that it be adopted.

II. RESPONSE TO INITIAL POST HEARING BRIEFS.

A. Inclusion Of A Demand Information Component (At $0.00 Per kW) On The Customer Bill Until The Conclusion Of Trico's Next Rate Case Is For Educational Purposes Only.

EFCA argues that the Settlement adopts mandatory demand charges in contravention of the UNSE Order and other guidance provided by the Commission.[2] Decision 75697 (UNSE Order) provides the following guidance on demand charges:

> Thus we concur with those parties who argue that this is not the time for this utility to require all residential and SGS customers to transition to mandatory three part rates. The public distrust and antipathy to the proposal has convinced the Company and the Commission that any transition to three part rates will require a massive public education effort before we can say with any degree of certainty that mandatory residential demand rates in UNSE's service territory are in the public interest. This does not mean that another utility, under different circumstances, cannot make a convincing argument that mandatory residential demand charges can be in the public interest. Our decision in this case applies only to UNSE at this point in time."[3]

In Staff's opinion, in addition to EFCA mischaracterizing provisions of the proposed Settlement related to the demand component, it ignores the fact that each unique rate case may warrant different results based upon the circumstances in that case. The proposed Settlement does not adopt mandatory demand charges. Until the end of Trico's next rate case, there will be no charge whatsoever associated with Trico's demand information component. The most that could be said is that the Settlement adopts a rate structure containing a demand information component set at $0.00 per kW for educational purposes. To the extent the demand information component appears on customer bills, it will be set at $0.00 per kW for educational purposes only and for Trico's use in

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[2] EFCA Post-Hearing Brief at 33-34.

[3] Decision No. 75697 at 65. (Emphasis added).

identifying and analyzing outlier situations, the appropriateness of demand charges for Trico's members, and to possibly facilitate their implementation in the future.

Whether or not to implement demand charges in the future and how to do so is a decision that will be made in Trico's next rate case. Under Section 12.1 of the Settlement, Trico's next rate case is to reflect a test year no earlier than the 12-month period ending June 30, 2018. The absolute earliest Trico could file its next rate case then would be by year-end 2018. The earliest it could implement demand charges would be the beginning of 2020. Further, if it sought to implement demand charges, under Section 12.2 of the Settlement, they would be capped at $2.00 per kW, and they may be structured differently depending upon the study Trico is to perform under Section 12.3 of the Settlement. In addition, the Settlement contains the ultimate safeguard that Trico may not implement demand charges at all if Trico's educational program is not successful. The signatories recognize that adoption of a three-part rate is highly dependent upon the success of the Cooperative's educational program and whether Trico's analysis suggests that the adoption of a three-part rate is appropriate. *See* Section12.4 of the Settlement.

EFCA also argues that the demand information component should not be included in Trico's tariff. EFCA argues that the inclusion by Trico of the demand information component in its tariff somehow means that the Cooperative and its members will be locked into demand charges in the future without further consideration by the Commission. This is simply not the case. Witnesses for both Staff and Trico have testified repeatedly that demand charges will not go into effect until the Commission approves them in a subsequent rate case.

EFCA also argues that the adoption of the $0.00 per kW demand component contravenes the guidance provided by the Commission in its UNSE Order because it adopts a demand charge before a customer educational program has been conducted. Staff does not agree. The Settlement does not call for the adoption of a demand charge; but a demand information component. Also as explained earlier, it is designed to educate both the members and Trico itself on the mechanics and workings of a demand charge if a demand charge is ultimately approved by the Commission. It will have

absolutely no impact on the customer's bill. The bill impact will be the same as if Trico was continuing to bill under its existing two-part rate until the end of Trico's next rate case.

An extensive educational program will occur before there is any bill impact associated with the demand information component. Trico's witnesses testified that the Cooperative would hire an outside consultant to make recommendations on and develop the educational program. Trico will also seek the input of other Cooperatives that have implemented demand charges in the past. Under Section 10.2 of the proposed Settlement, the member outreach and education will include at a minimum: "(a) the nature and operation of demand rates; (b) how members can utilize demand rates to reduce monthly bills; and (c) information on tools available from Trico and third parties to help members to manage demand (including Trico's Smart Hub application."

EFCA also argues that Trico is positioning itself to file under the Commission's streamlined rate case rules to put demand charges in place without a hearing. Staff's cross-examination of Trico's General Manager Vincent Nitido lays to rest any notion that the Cooperative is trying to somehow get demand charges adopted without the Commission's approval. In addition, even under the streamlined cooperative rate case rules, <u>any</u> party may request a hearing.

Staff understands the concerns regarding demand charges, given the confusion and lack of acceptance by customers in other cases. The signatories tried to structure the Settlement to address these concerns upfront through the adoption of an extensive educational campaign before any bill impact would occur. Numerous safeguards are also contained in the proposed Settlement, including a cap on the demand charge if one is adopted in the future; a provision that allows for the consideration of other alternatives in Trico's next rate case if necessary; and a requirement that Trico include in its next rate case a study which looks at the impact of billing demand on a 15-minue interval versus a 60-minute interval.

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B. The Net Metering Grandfathering Date Of May 31, 2016 For Existing DG Customers, Although An Exception To The Default Policy Established By The Commission In Decision No. 75697, Is Justified In Trico's Case.

In its rate application, the Cooperative originally proposed a grandfathering cutoff date of March 1, 2015. The Settlement extends the grandfathering date out 15 months to May 31, 2016. Thus, DG customer/members who submitted applications before June 1, 2016 will be grandfathered on the current net metering tariff.

EFCA argues that the grandfathering deadline adopted by the Settlement Agreement is inconsistent with the Commission's guidance in the recent UNSE case. In the UNSE case, Decision No. 75697, the Commission provided the following guidance:

> In this Decision, we have rejected the Company's proposal to establish a grandfathering date that precedes the date of the Commission order. We emphasize that this result should be regarded as our default policy. Although we recognize that each unique rate case may warrant different results, we believe that the applicable grandfathering date should not generally precede the date of the relevant Commission Decision. [4]

The UNSE Order establishes a default policy that any DG grandfathering date should not generally precede the date of the relevant Commission Decision in Phase II. However the guidance provided in the above passage from Decision No. 75697 does recognize that "each unique rate case may warrant different results."[5] Staff believes that the unique facts presented by this case support the adoption of the proposed Settlement.

In the UNSE case, UNSE proposed that DG customers who had submitted completed interconnection applications by June 1, 2015, remain on the existing net metering tariff.[6] UNSE had given new customers notice three months earlier that the rates could be changed in the future.[7] By contrast, the proposed Settlement contains a grandfathering date of May 31, 2016 (which is a full year later than the UNSE proposal); and Trico sent several notices to new DG customer/members apprising them there may be a change in rates in the future.

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[4] Decision No. 75697 at 119.
[5] *Id.*
[6] Decision No. 75697 at 112.
[7] *Id.*

In the UNSE service territory, UNSE provides electric service to approximately 95,000 customers of which 82,600 are residential customers.[8] DG customers comprised approximately 2% of the Company's residential customers, or 1650 DG customers. Trico, on the other hand has approximately 43,000 customer/members of which 40,000 are residential customers.[9] Trico had approximately 1,800 DG customer/members as of July, 2016 which is over four percent of its membership.[10] Thus, UNSE which is approximately twice the size of Trico, has approximately the same number or fewer DG customers than Trico.[11] In short, the levels of DG penetration in Trico's service territory are considerably higher than that present in the UNSE territory.

Unlike UNSE, Trico demonstrated that DG continues to proliferate in its service territory at a speed which far outpaces other companies. Trico's DG application history since 2011 shows that Trico received 65 applications in 2011; 114 applications in 2012; 160 applications in 2013; 465 applications in 2014; 404 applications in 2015; with 506 applications expected for 2016 if applications continue at the current pace.[12]

An additional comparison can be made with respect to SSVEC, using information from its recent rate case. SSVEC provides service to approximately 58,000 customer/members, of which approximately 41,500 are residential.[13] SSVEC had proposed an April 15, 2015 date for determining which DG customers should be subject to new rate options or net metering treatment.[14] For the 2014 test year, the number of SSVEC members with DG went from 781 to 1,013.[15] As of April 2016, the number had increased to 1,147.[16] Again, Trico is a smaller cooperative, but it currently has 1,800 DG customer/members which far exceeds the number of SSVEC DG customers.

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[8] Decision No. 75697 at 3.
[9] Staff Post Hearing Br. at 2.
[10] Trico Initial Post Hearing Br. at 6.
[11] *Id.* at 33.
[12] Trico Initial Post Hearing Br at 7-8.
[13] SSVEC ROO at 2.
[14] SSVEC ROO at 34.
[15] *Id.* at 12.
[16] *Id.*

In addition, it is important to consider that as the number of photovoltaic ("PV") systems increase, there is an increase in unrecovered fixed costs. UNSE argued that non-DG customers were subsidizing DG customers by approximately $642 per year for a 7 kW system.[17] SSVEC argued that the amount of lost fixed costs attributable to net metered members at the end of the 2014 test year was $1,139,013.[18] This would equate to approximately $1,124 per DG customer.[19]

Trico's cost shift is greater than both UNSE and SSVEC. Trico later provided Staff with actual production data which showed a higher under-recovery of costs. Trico's analysis indicates that non-DG customer/members are subsidizing DG customer/members at $89.91 per month – or $2 million per year for the next 20 years. This results in an annual subsidy of $1,749 million as of May 31, 2016, or $35 million over the life of the current interconnection agreements. According to Trico, at the time of the hearing, the $2 million per year translates into a cost shift of almost $1,000 per member per year over those 20 years.[20]

Staff believes that this data demonstrates that Trico's situation can be distinguished from both UNSE and SSVEC, and that based upon this data, the grandfathering date contained in the proposed Settlement is reasonable.

C. <u>The Settlement Provides The Potential For Subsequent Proceedings To Reexamine The Export Rate Using The Guidance Provided In The VOS Docket</u>.

EFCA argues that Trico has not justified "preempting the outcome of the Value of Solar Docket."[21] The Commission in the UNSE Order stated the following with respect to the VOS proceeding:

> We believe that the public interest favors consistent application of the results of the Value of DG docket. As a result, we will keep the net metering and rate design portions of this docket open pending the

[17] Decision No. 75697 at 35.
[18] SSVEC ROO at 12.
[19] While Staff agreed with the amount of fixed cost shortfall, it pointed out that the shortfall was due to members that have reduced energy consumption from EE measures and other reasons as well. *Id.* at 14.
[20] Trico Post Hearing Br. at 1.
[21] EFCA Post Hearing Br. at 18.

> conclusion of the Value of DG docket. Thus, shortly after the conclusion of that docket, a second phase of this docket will be convened in order to apply the findings of the Value of DG docket to UNSE. In the second phase of this proceeding, in addition to determining the appropriate net metering tariff for UNSE for any new DG customers who file applications for interconnection after the effective date of the Decision that comes out of phase two of this proceeding, the Commission will also consider the Company's request to require DG customers to take service under three-part demand rates due to their status as partial requirements customers. In the interim, DG customers will be treated the same as non-DG customers under the various rate options.[22]

EFCA argues that the proposed Settlement is inconsistent with the UNSE Order and creates "rate instability, costs, and uncertainty when a decision in that docket is so close."[23] EFCA also argues that the rapid increase in DG installations does not justify addressing this now rather than in a Phase II proceeding.[24]

Finally, EFCA also argues that by keeping the docket open for 18 months, the Commission would be "sow[ing] confusion and shortchang[ing] any insights that the DG valuation methodology being developed in the Value of Solar Docket would bring to the case." EFCA also attacks the export rate established in the proposed Settlement as being arbitrary and inappropriate, creating significant uncertainty for customers for up to 18 months beyond when the Commission issues a decision in this proceeding.[25]

EFCA's claim that this provision will create uncertainty for 18 months or longer is unwarranted. The 18 months was chosen by the signatories because it was not known at the time when the VOS decision would be issued. Section 8.6 of the proposed Settlement recognizes that the export rate could be subsequently re-examined under the methodologies set forth in the VOS docket. If the proposed Settlement is approved, that determination would likely be made shortly after the VOS decision is adopted. Moreover, this provision allows for requests for expedited hearings and consideration of expedited approval by the Commission.

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[22] Decision No. 75697 at 116.
[23] *Id.* at 18.
[24] *Id.*
[25] *Id.* at 19.

EFCA's continued attacks on the export rate are also unwarranted. Trico had originally proposed its avoided cost rate of approximately 3 cents per kWh. The export rate established in the Settlement is much higher at 7.7 cents per kWh. Nor is it an arbitrary rate as alleged by EFCA. It represents the fixed costs of transmission and generation, or the Cooperative's power supply portion of the energy charge for the first tier of the proposed RS1 Schedule.

The VOS ROO which was released recently provides for use of Staff's two proposed methodologies, a mid-term avoided cost methodology and the Resource Comparison methodology.[26] While the Commission could adopt a different methodology altogether, the only methodology for Trico that is likely to exceed the 7.7 cents would be one based upon long-term avoided costs. EFCA also claims that the export rate is defective because it does not take all of the benefits associated with DG into account.[27] However, Trico's witnesses testified that Trico looked at the possibility of benefits associated with transmission and distribution provided by the current DG penetration levels, and found there were none.

The 7.7 cent per kWh rate is higher than the export rate proposed by either UNSE or SSVEC. UNSE proposed to use its most recent PPA price which was 5.8 cents per kWh; and SSVEC proposed use of its avoided cost rate of 2.58 cents per kWh (equal to the energy and fuel components of its wholesale rate).[28] Staff did not support either rate.

The VOS ROO provides for grandfathering of both rate design and net metering until the time of the electric utility's next rate case, with further grandfathering to be considered in the next rate case.[29] Similar to the VOS ROO with respect to net metering (which Staff acknowledges is subject to change by the Commission), the proposed Settlement provides for grandfathering "on the current net metering tariff at least until the Commission issues a decision in Trico's next rate case..."[30] In the proposed Settlement, the signatories also expressed an "expectation that grandfathering will continue

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[26] VOS ROO at 148.
[27] EFCA Post Hearing Br. at 23-26.
[28] SSVEC ROO at 29.
[29] VOS ROO at 153-154.
[30] *See* Section 9.1 of the Trico Agreement.

for the remaining term of the member's interconnection agreement or for 20 years, whichever is shorter.

Under the proposed Settlement, the same rate design would apply to both DG and non-DG customers. This is different from both UNSE and SSVEC. UNSE is proposing a three-part rate for DG customers only. SSVEC also proposed new residential DG rate classes.[31] While the proposed Settlement adopts a three-part rate structure, the demand information component is set at zero so the bill will not be impacted by the change in rate structure. Rather, the bill will reflect the same amount as the existing two-part rate through the Cooperative's next rate case, at which time it will be reevaluated.

Finally, EFCA notes that under the proposed Settlement, the netting and banking provisions of net metering will also change.[32] The proposed Settlement provides that "[a]ll excess energy from a new DG member will be credited to the member for the billing period at the export rate.[33] The proposed Settlement also provides that for "new DG members, no netting or banking of kWh will occur during the month."[34] The VOS ROO also contemplates that netting and banking will be eliminated over time with the adoption of an export rate.[35]

EFCA also argues that the Commission cannot sanction changes which are inconsistent with its Net Metering Rules.[36] EFCA argues that without a waiver provision in the Net Metering Rules, the Commission is powerless to waive them until they are changed.[37] This issue was discussed at length in the UNSE Decision.[38] While this issue will be decided in Phase II of the UNSE and SSVEC proceedings, Staff's position in this case is the same as expressed in the UNSE decision: the Commission can waive its own rules. More important, however, is the fact that the Commission should not be constrained by rules that no longer produce rates that are just and reasonable in a

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[31] SSVEC ROO at 11-12.
[32] EFCA Post Hearing Br. at 20.
[33] *See* Section 8.2 of the Trico Settlement Agreement.
[34] *Id.* at Section 8.3.
[35] VOS ROO at 146.
[36] EFCA Post Hearing Br. at 16.
[37] *Id.* at 16-17.
[38] Decision No. 75697 at 101-102.

particular case. Thus, if in Trico's case, the current Net Metering Rules produce rates that are no longer just and reasonable, the Commission must take action to ensure that any rates it approves are just and reasonable.

Finally, EFCA argues that the changes to Net Metering and DG tariffs in the proposed Settlement would curtail DG adoption because DG investments would become uneconomical.[39] EFCA argues that Staff witness Liu's analysis of rooftop solar value propositions under different rate designs is flawed.[40] EFCA witness Monsen criticized Staff witness Liu's use of a 33-year internal rate of return ("IRR") instead of a 20-year IRR in his modeling. He claimed that Staff used the 20-year IRR in the UNSE rate case, but switched to a 33-year IRR in this case without any justification."[41] EFCA witness Monsen's testimony on this point has no merit. First, the 20-year IRR used in the UNSE rate case was based on the information gathered by Staff at that time. Staff has been continuously improving the Bill Estimation and Solar Cost Model using updated information and knowledge. In fact, Staff witness Liu acknowledged in his surrebuttal testimony in the UNSE rate case that "[w]e are continuing to evaluate the model and will on an ongoing basis look for any ways the model can be improved."[42] Further, the system life of 33 years is based on the National Renewable Energy Laboratory's ("NREL") Distributed Generation Renewable Energy Estimate of Costs (updated February 2016).[43]

Moreover, EFCA's assertion that Staff witness Liu's analysis is "deeply flawed" and "influenced by Staff's desire to support the Proposed Settlement"[44] is unreasonable and unjust. Staff witness Liu described the formation and development of his model and analysis, and he also justified different assumptions and inputs used in his analysis, which makes his analysis reasonable and unbiased. As the matter of fact, some of the key inputs are the same as the ones used in his analysis in the SSVEC rate case.[45] Therefore, Staff witness Liu's analysis was not influenced by "Staff's

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[39] EFCA Post Hearing Br. at 28-29.
[40] *Id.*
[41] EFCA Post-Hearing Brief, Page 29, Lines 16-18.
[42] Liu Surrebuttal Testimony, Page 4, Lines 4-5, Docket No. E-04204A-15-0142, February 19, 2016.
[43] Liu Settlement Direct Testimony, Page 5, Lines 3-4.
[44] EFCA Post-Hearing Brief, Page 29, Lines 10-11.
[45] Liu Surrebuttal Testimony, Docket No. E-01575A-15-0312, May 6, 2016.

desire to support the proposed Settlement." Staff witness Liu's analysis shows that rooftop DG would still be profitable under the proposed Settlement.

EFCA also criticizes Staff witness Liu's use of a rooftop solar system cost of $2,750/kW-DC. Staff witness Liu used the same cost in the UNSE rate case, which is the mid-point of the data provided by UNSE and TASC. EFCA witness Monsen, however, used a system cost of $3,600/kW-DC, which is based on Lawrence Berkeley National Laboratory, Tracking the Sun VIII. This cost reflects residential solar systems installed in 2014, which may be outdated considering the downward trend of the system cost over the last several years. Mr. Kevin Koch, a local solar installer for Technicians for Sustainability that operates in TEP's, Trico's, SSVEC's and UNSE's service territories testified that it charged $2.87 per watt in 2015 and $2.62 per watt in 2016 for a medium quality system with 7.4 kW and 6.2 kW capacity respectively. Mr. Koch also testified that the system cost should correspond to systems with similar sizes. Staff witness Liu's cost of $2,750/kW-DC was applied on a 6.85 kW system size, which is fairly in the range between 6.2kW and 7.4kW. Thus Kevin Koch's testimony justifies Staff witness Liu's assumption of system cost in his analysis.

D. <u>Freezing Of The Residential Time Of Use Rate Is Appropriate In Trico's Case</u>.

EFCA relies upon Staff's position opposing the freezing of TOU rates in the SSVEC case to suggest that the Settlement (which freezes TOU rates) should not be adopted.[46] The only similarity between the two cases is the fact that both Cooperatives asked that their TOU rates be frozen due to their pricing structure with AEPCO, which is not time differentiated. As a result, the residential time-of-use rate does not reflect the costs incurred by the Cooperatives.

In the SSVEC case, Staff did not believe it was necessary to freeze the Cooperative's residential TOU rate because of the prospect of changes by AEPCO in its rate structure which could ultimately be reflected in SSVEC's member rates. However, SSVEC has only 15 (check) TOU customers at this time. The situation is much different for Trico. Trico has approximately 2,900 residential TOU customers. With a subscriber count this large, cross subsidies abound between non-TOU members and TOU members. This became such a problem in Trico's last rate case where

[46] *Id.* at 41.

cross subsidization of over $1 million dollars was found; that changes had to be made to reduce the extent of member cross-subsidization. Because the TOU rates do not reflect Trico's actual costs, Trico proposes to first freeze them and then eliminate them until the underlying AEPCO cost structure changes.

E. The Fact That The Customer Charge In The Settlement Agreement Is Higher Than That Contained In The Original Notice Does Not Require It Be Reduced Or That The Agreement Be Set Aside.

EFCA argues that "Trico did not give timely notice of its intent to raise the current customer charge from $15.00 to $24.00." [47] As a result, EFCA states that the Commission cannot adopt a customer charge which exceeds $20.00 in this case. Staff addressed this issue in its Initial Post Hearing Brief and stands by its position as reflected therein.

Trico first sent out a notice to its customers in the form required by the Commission's December 3, 2015, Procedural Order. That notice, like other rate case notices put the public on notice that changes to Trico's proposals contained in its application were possible.

Also in August, 2016, Trico sent out with its monthly bills information on the proposed Settlement. This notice informed customers of the changes to Trico's proposal in its application.

EFCA relies upon a Nevada court decision addressing notice in a proceeding conducted by the Public Service Commission of Nevada.[48] Staff believes that case is distinguishable because it addressed notice and other issues under a specific statutory provision in Nevada law.

III. RESPONSE TO COMMISSIONER LETTERS.

At the time the Settlement was entered into, the UNSE ROO had not yet been issued. The Settlement was signed on July 8, 2016, and the UNSE ROO issued on July 20, 2016. The hearing on the Settlement began on August 17, 2016. The UNSE Order (Decision No. 75697) was docketed later that week on August 18, 2016. Staff reviewed the UNSE Order after it was docketed and recognized

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[47] *Id.* at 39.

[48] *Vote Solar v. The Public Utilities Comm'n of Nevada*, Case No. 16 OC 00052 1B, In the First Judicial District Court in the State of Nevada. (Sept. 12, 2016) Order.

that the Settlement provisions were not identical to Decision No. 75697's provisions. However, as discussed above, the UNSE Order recognizes that different results may be warranted in different cases.

The discussion in Subpart II above, sets forth Staff's reasons for proceeding with the Settlement. Staff believes the unique circumstances in Trico's case were such that different treatment was warranted. While the proposed Settlement is not identical to the UNSE Order, Staff believes that it is consistent with the spirit and intent of that Order and at the same time, balances Trico's unique circumstances with those standards.

IV. CONCLUSION.

For the reasons contained in Staff's Post Hearing and Reply Briefs, the Commission should approve the Settlement Agreement between Trico and Staff.

RESPECTFULLY SUBMITTED this 2nd day of November, 2016.

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On this 2nd day of November, 2016, the foregoing document was filed with Docket Control as an Utilities Division Brief, and copies of the foregoing were mailed on behalf of the Utilities Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

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