ARIZONA CORPORATION COMMISSION

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2nd REVISED N O T I C E

OPEN MEETING OF THE ARIZONA CORPORATION COMMISSION

Tuesday, December 6, 2022

9:00 a.m.

Hearing Room One
1200 W. Washington St.
Phoenix, AZ 85007

This shall serve as notice of an open meeting at the above location for consideration, discussion, and possible vote of the items on the agenda and other matters related thereto. Commissioners may attend the proceedings in person, or by telephone, video, or internet conferencing, and may use this open meeting to ask questions about the matters on the agenda. Parties to the matters to be discussed or their legal representatives may attend remotely or in person. The Commissioners may move to executive session, which will not be open to the public, for the purpose of legal advice pursuant to A.R.S. § 38-431.03 (A) (3) and (4) on the matters noticed herein.

In addition to attending in-person, the public will be able to participate by either watching and listening to the meeting online or listening to the meeting via telephone. For those not attending in-person and wishing to enter an appearance or provide public comment for a particular item, please use the dial in phone number. Once the item for which you are appearing or providing public comment is concluded, to assist with network bandwidth, please hang up and watch the live stream.

Each party and stakeholder interested in an Open Meeting agenda item will be permitted to appear in-person, by videoconference or telephone during the Commission's consideration of the item at Open Meeting. To participate by videoconference for an agenda item, a person must have an ACC Portal Account (create an account for free at https://efiling.azcc.gov/cases) and must, by no later than one hour prior to the start of the meeting on the day of Open Meeting, complete the process on the ACC Portal to "Request to Speak at Open Meetings" for the item. A person who has completed the Request to Speak process for an agenda item will receive, prior to the start of the meeting on the day of Open Meeting, an email with a WebEx link and instructions to participate in the Open Meeting. Parties and stakeholders may also opt to participate via telephone, using the phone number and code to speak shown below.

Persons with a disability may request reasonable accommodations by contacting the Commission Secretary listed above at least 48 hours prior to the scheduled commencement of the Open Meeting.

Agendas are also available online at: azcc.gov/agendas

Dial-in Phone Number: *1-877-309-3457 Passcode: 801972877##*

NOTE: *When requesting to speak, please be prepared to provide the phone attendant your name, company you represent, and the item number in which you are calling about.*

Please note that the phone lines will be made available up to 30 minutes before the start of the meeting. Callers are encouraged to call in as early as possible to assist in facilitating and identifying each caller.

Members of the public may watch a livestream/broadcast of the meeting online at: http://www.azcc.gov/live *(Please note there is an approximate 30 second delay in the livestream and it is for listen-only. Individuals making public comment or representing a client on a pending matter must register/sign-on to speak using the telephone number above).*

NOTE: The Commission may choose to take testimony under oath.

Pledge of Allegiance

Invocation/Reflection

Ceremonial Matters

CHAIRWOMAN'S PROPOSED CONSENT AGENDA

1. ~~**High Desert Naturals *et al.***~~ **Richard J. Daratony *et al*** (S-21134A-20-0388) – ~~Temporary Order to Cease and Desist and Notice of Opportunity for Hearing.~~ Recommended Opinion and Order to Cease and Desist and for Administrative Penalties to Richard J. Daratony d/b/a High Desert Naturals d/b/a High Desert Natural d/b/a Dr. Richard's High Desert Naturals. **(LANGUAGE CORRECTION)**

2. **DSI-ITI, LLC** (T-20734A-22-0202) – In the matter of DS-ITI, LLC for cancellation of its Certificate of Convenience and Necessity for Customer Owned Pay Telephone providers.

3. **Union Pacific Railroad Company** (RR-03639A-20-0368) – In the Matter of the Application of Union Pacific Railroad Company for Approval to Modify Existing At-Grade Crossing at 35th Avenue North of Harrison Street, in Phoenix, Arizona, DOT Crossing Number 741-448R; Modification of Decision No. 78019 for an Extension of a Compliance Deadline Pursuant to A.R.S. §40-252 with Notice and Opportunity to be Heard.

4. ~~**Alliant Gas, L.L.C.** (G-20889A-22-0263) – In the Matter of the Application of Alliant Gas, LLC, for Approval of Purchased Gas Adjustor Surcharges for the Page Division and the Payson Division.~~ **(ITEM PULLED)**

5. **Big Park Water Company** (W-01624A-19-0106 & W-01624A-20-0280) – Motion to Implement Permanent Financing Loan Surcharge.

6. **Sahuarita Water Company L.L.C.** (W-03718A-09-0359) – In the Matter of the Application of Sahuarita Water Company L.L.C. for CAGRD Annual Adjustor Fee Reset.

7. **Rose Valley Water Company** (W-01539A-22-0065 and W-01539A-22-0064) – In the Matter of the Application of Rose Valley Water Company, an Arizona Corporation, for a Determination of the Fair Value of its Utility Plants and Property and for an Increase in its Rates and Charges for Utility Service Based Thereon and for Long-Term Financing Approval.

8. **Liberty Utilities - Black Mountain Sewer Corp.** (SW-02361A-22-0183) – In the Matter of the Application of Liberty Utilities (Black Mountain Sewer) Corp. for an Extension of its Existing Certificate of Convenience and Necessity. **(ITEM ADDED)**

9. **Cactus State Utility Operating Company, LLC** (WS-21155A-22-0198) – In the Matter of the Application of Cactus State Utility Operating Company, LLC for an Extension of an Existing Certificate of Convenience and Necessity to Provide Wastewater Utility Service in Yuma County, Arizona.

10. **EPCOR Water Arizona Inc.** (WS-01303A-22-0154) – In the Matter of the Application of EPCOR Water Arizona Inc. - San Tan Water and Wastewater Districts - for Approval of (1) the Transfer of Assets to the Town of Queen Creek and Deletion of its Certificate of Convenience and Necessity of its San Tan Wastewater District for Those Areas to be Served by Queen Creek; and (2)Extension of EPCOR's San Tan Water and Wastewater Districts to Serve the Bella Vista Farms North (Water and Wastewater) Development.

11. ~~**Global Water *et al.*** (SW-20445A-20-0214 *et al*) – In the Matter of the Application of Global Water-Palo Verde Utilities Company, Inc., an Arizona Corporation, for the Establishment of Just and Reasonable Rates and Charges for Utility Service Designed to Realize a Reasonable Rate of Return on the Fair Value of its Property and for Certain Related Approvals. Compliance with Decision No. 78644 Regarding the Request for a Private Letter Ruling from the Internal Revenue Service. Staff's Request for an Extension of Time with Notice and Opportunity to be Heard.~~ **(ITEM PULLED)**

12. **Duncan Valley Electric Cooperative, Inc.** (E-01703A-22-0221) – In the Matter of the Application of Duncan Valley Electric Cooperative, Inc. for Approval of its 2023 Renewable Energy Standard and Tariff Plan.

13. **Graham County Electric Cooperative, Inc.** (E-01749A-22-0173) – In the Matter of the Application of Graham County Electric Cooperative, Inc. for Approval of the 2023 Rest Implementation Plan and Net Metering Tariff.

14. **UNS Electric, Inc.** (E-04204A-18-0087) – In the Matter of the Application of UNS Electric, Inc. for Approval of Revised UNSE Qualified Facilities Tariffs QF-A, QF-B and QF-C.

15. **Tucson Electric Power Company** (E-01933A-17-0360) – In the Matter of the Application of Tucson Electric Power Company for Approval of Revised TEP Partial Requirements Rate Schedule Rider-11 (R-11).

16. **Maricopa Energy Center, LLC** (L-21206A-22-0243-00207) – In the Matter of the Application of Maricopa Energy Center, LLC, or its Assignees, in Conformance with the Requirements of A.R.S. § 40-0360 et. seq., for a Certificate of Environmental Compatibility Authorizing the Maricopa Energy Center 500KV Transmission Line Project. Commission Approval of Legal Division Sample Order No. 1.

17. **West Camp Wind Farm, LLC** (L-21204A-22-0228-00206) – In Conformance with the Requirements of Arizona Revised Statutes, Sections 40-360, ET. SEQ., for Certificates of Environmental Compatibility (CEC 1 & CEC 2) Authorizing the West Camp Wind Farm Gen-Tie Project, A 345 KV or 500 KV Transmission Line and Associated Interconnection Facilities within Navajo County, Arizona. Commission Approval of Legal Division Sample Order No. 1.

REGULAR AGENDA

18. **Coal Impacted Communities** (E-00000A-21-0010) – In the Matter of Impact of the Closures of Fossil-Based Generation Plant on Impacted Communities.

19. **Hopi Tribe v. Arizona Corporation Commission, 1 CA-CC-21~~1~~2-0001** – Commission Discussion, Consideration, and Possible Vote Regarding the Settlement Offer by the Hopi Tribe. The Commission May Vote to Go into Executive Session for Discussion and Consultation with its Attorneys in this Matter Pursuant to A.R.S. 38-431.03(A) (3) and (4), which will Not be Open to the Public. **(LANGUAGE CORRECTION)**

20. **Arizona Public Service Company (DDSR Aggregation Tariff)** (E-01345A-22-0143) – In the Matter of the Application of Arizona Public Service Company for Approval of a Distributed Demand-Side Resource Aggregation Tariff and Service Schedule.

21. **Arizona Corporation Commission (Five-Year Review)** (AHD-00000A-22-0155) – In the Matter of the Five-Year Review of the Rules of Practice and Procedure before the Corporation Commission, Arizona Administrative Code Title 14, Chapter 3, Article 1.

22. **Arizona Public Service Company** (E-01345A-21-0203) – Approval of a Green Power Partners "Option C" Subscription Agreement with Microsoft Corporation.

23. **Arizona Public Service Company** (E-01345A-22-0083) – In the Matter of the Application of Arizona Public Service Company for an Order or Orders Authorizing it to Issue, Incur, and Amend Evidences of Long-Term Indebtedness as Defined Herein and Short Term Indebtedness, to Execute New Security Instruments to Secure any such Indebtedness, and for Declaratory Order concerning Variable Interest Entities.

24. **Citizens Telecommunications Company of the White Mountains d/b/a Frontier Communications of the White Mountains (Frontier Communications), *et al.*** (T-03214A-21-0334 et al.) – Order Administratively Closing Docket in the Matter of the Application of Citizens Telecommunications Company of the White Mountains, Inc. d/b/a Frontier Communications of the White Mountains (Frontier Communications), et al. to Classify and Regulate Retail Local Exchange Telecommunications Services as Competitive, and to Classify and Deregulate Certain Services as Non-Essential. The Commission may vote to go into executive session for discussion

and consultation with its attorneys in these matters pursuant to A.R.S. Section 38-431.03(A) (3) and (4), which will not be open to the public.

25. **Citizens Telecommunications Company of the White Mountains d/b/a Frontier Communications of the White Mountains (Frontier Communications), *et al.*** (T-03214A-17-0305) – Order Administratively Closing Docket in the Matter of the Application of Citizens Telecommunications Company of the White Mountains, Inc. d/b/a Frontier Communications of the White Mountains (Frontier Communications) for a Streamlined Review of Existing Rates. The Commission may Vote to go into Executive Session for Discussion and Consultation with its Attorneys in these Matters Pursuant to A.R.S. Section 38-431.03(A) (3) and (4), Which Will Not be Open to the Public.

26. **Arizona Corporation Commission (Arizona Universal Service Fund, High Cost Fund)** (T-00000A-20-0336) – Commission Discussion, Consideration, and Possible Vote on Staff's Recommendation Regarding How and Whether to Proceed with the Docket and Making Potential Changes to Arizona Universal Service Fund, High Cost Fund, Based on the Responses the Commission Received to the Notice of Inquiry Issued on March 4, 2022.

27. **Arizona Corporation Commission** (Arizona Universal Service Fund, High Cost Fund) (RT-00000H-97-0137) – In the Matter of the Notice of Proposed Amendments to the Arizona Universal Service Fund. 2023 Monthly Arizona Universal Service Fund Carrier Surcharges.

28. **Federal Energy Regulatory Commission** ("FERC" Docket No. RP19-73-003) – Commission Discussion, Consideration, and Possible Vote on Whether to Support El Paso Natural Gas Company's Offer of Settlement, Stipulation, and Agreement filed with the Federal Energy Regulatory Commission on November 18, 2022, in Docket No. RP19-73-003. The Commission may Vote to go into Executive Session for Discussion and Consultation with its Attorneys in this Matter Pursuant to A.R.S. 38-431.03(A) (3) and (4), Which Will Not be Open to the Public.

29. **Arizona Corporation Commission** – Commission Discussion, Consideration, and Recap of Items or Requests to be Included on the Next Regular Open Meeting Agenda; Opportunity for Commissioners to Request Specific Items be Included on the Next Regular Open Meeting.