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Statement of Commissioner Gary Pierce Regarding Attorney General's Certification of REST Rules

I was not on the Arizona Corporation Commission when the Renewable Energy Standard and Tariff Rules (also known as the REST Rules) were adopted. Consequently, since I've been on the Commission, the question has never been whether to adopt the Rules, but only whether this Commission holds the constitutional or statutory authority to adopt the Rules. As to that second question, the answer is a slam dunk—Yes! Article 15, Section 3 of the Arizona Constitution explicitly gives the Commission authority to “make and enforce reasonable rules, regulations, and orders for the convenience, comfort, safety and the preservation of the health . . . of the employees and patrons” of Arizona utility companies. And, that is precisely what the REST Rules are designed to do. As the skies across Arizona slowly turn a darker shade of brown, Arizonan's are having to address the question of how we produce power and we've got to do something to level the playing field between traditional power sources that produce harmful emissions and renewable power sources that do not. Candidly, I have some questions about whether the REST Rules are the optimal method to level the playing field, but there is no question that the REST Rules are a serious effort to combat a looming threat to the comfort, safety, and health of Arizonan ratepayers. I applaud the Attorney General for his decision—some of my colleagues might say belated decision—to certify the REST Rules.