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JODI A. JERICH
Executive Director

ARIZONA CORPORATION COMMISSION

May 23, 2013

Re: Generic Docket No.: E-00000W-13-0135 / In the Matter of the Commission's Inquiry into Retail Electric Competition

Dear Stakeholders:

The purpose of this letter is to invite you to provide detailed comments communicating your views on retail electric competition in Arizona.

At the May 9, 2013 Staff Meeting, the Commission expressed a desire to receive and consider comments from any and all interested parties regarding whether it is in the public interest to implement retail electric competition in Arizona. The Commission plans to take the material filed in the above referenced generic docket and consider it in an upcoming Open Meeting.

The Commission needs input from electric industry stakeholders and customers to assist in the evaluation of the potential benefits versus the potential pitfalls of any possible transition to retail electric competition. The Commission takes seriously its obligations to understand and plan for Arizona's future energy needs and to look at viable production options now in the energy generation pipeline. The Commission finds it critical to stay abreast of energy generation developments and to stay engaged in this development curve.

It is clear that the Commission must undertake a rigorous examination of the complex issues surrounding electric retail competition in order to reach an informed decision. To help facilitate an organized and prudential examination of the matter, Commission Staff recommends that parties address, at a minimum, the following matters:

- 1) Will retail electric competition reduce rates for all classes of customers – residential, small business, large business and industrial classes?
- 2) In addition to the possibility of reduced rates, identify any and all specific benefits of retail electric competition for each customer class.
- 3) How can the benefits of competition apply to all customer classes equally or equitably?
- 4) Please identify the risks of retail electric competition to residential ratepayers and to the other customer classes. What entity, if any, would be the provider of last resort?

- 5) How can the Commission guarantee that there would be no market structure abuses and/or market manipulation in the transition to and implementation of retail electric competition?
- 6) What, if any, features, entities or mechanisms must be in place in order for there to be an effective and efficient market structure for retail electric competition? How long would it take to implement these features, entities, or mechanisms?
- 7) Will retail electric competition require the divestiture of generation assets by regulated electric utilities? How would FERC regulation of these facilities be affected?
- 8) What are the costs of the transition to retail electric competition, how should those costs be quantified, and who should bear them?
- 9) Will retail electric competition impact reliability? Why or why not?
- 10) What are the issues relating to balancing area authorities, transmission planning, and control areas which must be addressed as part of a transition to retail electric competition?
- 11) Among the states that have transitioned to retail electric competition, which model best promotes the public interest for Arizonans? Which model should be avoided?
- 12) How have retail rates been affected in states that have implemented retail electric competition?
- 13) Is retail electric competition viable in Arizona in light of the Court of Appeals' decision in *Phelps Dodge Corp. v. Ariz. Elec. Power Coop.*, 207 Ariz. 95, 83 P.3d 573 (App. 2004)? Are there other legal impediments to the transition to and/or implementation of retail electric competition?
- 14) Is retail electric competition compatible with the Commission's Renewable Energy Standard that requires Arizona's utilities serve at least 15% of their retail loads with renewable energy by 2025? (See A.A.C. R14-2-1801 et seq.)
- 15) Is retail electric competition compatible with the Commission's Energy Efficiency Standard that requires Arizona's electric utilities to achieve a 22% reduction in retail energy sales by consumption by 2020? (See A.A.C. R14-2-2401 et seq.)
- 16) How should the Commission address net metering rates in a competitive market?

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- 17) What impact will retail electric competition have on resource planning?
- 18) How will retail electric competition affect public power utilities, cooperatives and federal controlled transmission systems?

By no means should you consider these questions an exhaustive list. If there are any other matters related to the advantages or disadvantages of retail electric competition that you would like to address, that information is welcome.

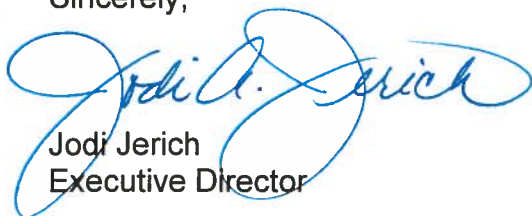
Initial comments should be filed in Docket No.: E-00000W-13-0135 by July 15, 2013. Responsive comments should be filed by August 16, 2013. Instructions for filing written comments in the docket may be found at www.azcc.gov, or you may call (602) 542-4251 or 1-800-222-7000 for information about how to file comments. Anyone intending to file comments is reminded that such filings are matters of public record, and should not contain information, including personal information, that is not intended for public disclosure.

If you would like to receive information about this docket on an ongoing basis, please file a notice with Docket Control indicating that you would like to be on the service list. Your notice should include your name, address, and email address. Future notices regarding this docket will be sent only to those individuals/entities that have asked to be included on the service list.

After the Commission has had an opportunity to review the written comments, it plans to convene an Open Meeting to discuss the issues and information filed in this docket. Please consult the Commission's website after the comment period to ascertain the scheduled date. All Commission hearings, workshops, and Open Meetings for this docket and all others are posted on the Commission website

Your comments will be vital to the Commission's consideration of these important issues, and I thank you in advance for your thoughtful contributions to this process.

Sincerely,



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