

ARIZONA CORPORATION COMMISSION

REQUIREMENTS TO PROCESS AN EMERGENCY RATE CASE APPLICATION WITHIN 30 DAYS

One or more of the following conditions must exist before a Company files an emergency rate application:

- A sudden change brings hardship to the Company;
- The Company is insolvent; or
- The condition of the Company is such that its ability to maintain service pending a permanent rate determination is in serious doubt.

Once a Company determines that it qualifies for emergency rate relief, it should contact the Commission's Utilities Division ("Staff") to ask Staff to open a docket. Once a docket is opened and before or on the same date the Company files its Application, the Company must send (mail or email) or deliver to each of its customers a Public Notice of the Application, in the format set forth below, to inform its customers that the Company is requesting an emergency rate increase. The notice must include information on the emergency request as well as the location customers can find additional information regarding the pending case.

The application must contain the following information/documentation:

- A narrative cover sheet(s) devoted to the explanation of the emergency condition(s) present in the Company;
- A requested amount of dollars to be recovered in the emergency rate;
- An emergency rate charge to apply to customers;
- A method or mechanism to recover the requested amount of dollars;
- A detailed breakdown of the system repairs, if any, necessary to alleviate the emergency condition, including information such as size, quantity, capacity, and condition of all repair areas, and a listing for the cost of labor per repair item;
- A copy of an estimate of the cost of repairs;
- Certification that notice of the emergency rate application has been mailed to customers, in a form acceptable to Staff; and
- A copy of the notice mailed to customers.

The application must be filed either (a) by filing the paper application and copy/copies (meeting [filing requirements](#)) with Docket Control (Docket Control, 1200 West Washington, Phoenix, AZ 85007), or (b) by eFiling the application using the ACC Portal (<https://efiling.azcc.gov/login>). Information about eFiling is available [here](#).

Any Class C, D, or E utility company that files a paper application is required to file the original plus 1 copy with Docket Control. Any Class A or B utility company that files a paper application is required to file the original plus 13 copies. Any utility company of any Class that successfully eFiles its application is not required to file a paper original or any paper copies.

The Commission's Hearing Division will schedule a Procedural Conference to occur within five (5) business days of the filing of the application to discuss hearing dates and other procedural issues. The Administrative Law Judge ("ALJ") assigned to the matter will set a hearing date as soon as possible based on the availability of the parties and their ability to prepare their respective cases for presentation at the hearing. The ALJ will also direct the Company to work with Staff to provide notice of the hearing date by

means of posting notice in a conspicuous location within the affected communities, emailing notice to customers, and/or posting on the Company's website (or by other appropriate means), to allow an opportunity for customers to attend the hearing and provide public comment.

At the hearing, the Company and Staff (and any intervenors) will provide verbal testimony to present their positions and analysis regarding the Company's application. In most circumstances, Staff will not provide written documents or schedules in advance of the hearing. At the conclusion of the hearing, the ALJ will take the matter under advisement and issue a Recommended Opinion and Order ("ROO") within one week. The ROO will require, among other things, that the Company file a permanent rate case application by a specified date set by the Commission anywhere from six to 24 months of the Commission's Decision on the emergency rate application; and that the rates approved by the Commission are subject to customer refund in the permanent rate case.

Depending on the Commission's Open Meeting schedule, the emergency rate application may be decided by the Commission within 30 days. However, due to the unique circumstances of each case, the requirement to process the emergency rate case within 30 days may be extended to within 60 days at the request of the Company or Staff, or on the Commission's own initiative, for good cause.

PUBLIC NOTICE OF THE APPLICATION OF <insert COMPANY NAME>
FOR AN EMERGENCY RATE INCREASE
(DOCKET NO. <insert DOCKET NUMBER>)

Summary

On <insert month and day, year>, <insert COMPANY NAME> (“Company”) filed with the Arizona Corporation Commission (“Commission”) an Application for an emergency rate increase. The Company claims that it is entitled to emergency rate relief because <insert explanation of the emergency condition>. The Company estimates that it will incur \$<insert amount> in costs to alleviate the emergency condition. The Company is requesting authorization to recover \$<insert amount> in emergency rates by implementing a monthly surcharge in the amount of \$<insert amount> per customer.

The Commission’s Utilities Division (“Staff”) is in the process of reviewing and analyzing the Application. Neither Staff nor any intervenor has yet made any recommendation regarding the Company’s request. THE COMMISSION IS NOT BOUND BY THE PROPOSALS OF THE COMPANY, STAFF, OR ANY INTERVENOR. BASED ON THE EVIDENCE PRESENTED IN THIS MATTER, THE COMMISSION MAY APPROVE THE AMOUNT OF THE REQUEST, MODIFY THE AMOUNT HIGHER OR LOWER, OR DENY THE REQUEST.

If you have any questions concerning how the Application may affect your bill or have other substantive questions about the Application, you may contact the Company at: <Company to insert name, address, telephone number, and email address for customer contacts concerning the Application>.

How You Can View or Obtain a Copy of the Application

Copies of the Application are available from <Company to insert how and where available>; at the Commission’s Docket Control Center at 1200 West Washington Street, Phoenix, Arizona, and the Commission’s office at 400 West Congress Street, Suite 218, Tucson, Arizona, during regular business hours; and on the Commission website (www.azcc.gov) using the e-Docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a full public hearing on this matter. The Commission’s Hearing Division will schedule a procedural conference to occur within five business days of the filing of the Application in order to set a public hearing date and establish other procedural requirements.

The Company will provide notice of the hearing date by means of posting notice in a conspicuous location within the affected communities, emailing notice to customers, and/or posting on the Company’s website (or by other appropriate means), to allow an opportunity for customers to attend the hearing and provide verbal public comment.

Public comments will be taken on the first day of the hearing. Written public comments may be submitted at any time by mailing a letter referencing **Docket No. <insert DOCKET NUMBER>** to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission’s website (www.azcc.gov) by clicking on “Cases and Open Meetings” and “Make a Public Comment in a Docket.” If you require assistance, you may contact the Consumer Services Section during regular business hours at 602-542-4251 or 1-800-222-7000.

If you do not intervene in this proceeding, you will receive no further notice of the proceedings in this docket unless you sign up to Follow the Docket. However, all documents filed in this docket are available online (usually within 24 hours after docketing) at the Commission’s website (www.azcc.gov)

using the e-Docket function. **Information on how to Follow a Docket is available on the Commission’s website by clicking on “Cases and Open Meetings” and “Follow a Docket.”**

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene. An interested person may be granted intervention if the outcome of the case will directly and substantially impact the person, and the person’s intervention will not unduly broaden the issues in the case. Intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other parties’ witnesses. **Intervention is not required for you to appear at the hearing and provide public comment, to file written comments in the record of the case, or to receive emailed notice of each filing made in the case by following the docket.**

Information about what intervention means, including an explanation of the rights and responsibilities of an intervenor, is available on the Commission’s website (www.azcc.gov) by clicking on “Cases and Open Meetings” and then clicking on “Intervene in a Case.” The information includes a [Sample Intervention Request](#) and a [Fillable Intervention Request Form](#).

To request intervention, you must file a written request to intervene, either (a) by filing a hard copy request (meeting filing requirements) with Docket Control (Docket Control, 1200 West Washington, Phoenix, AZ 85007), or (b) by [eFiling](#) the request. Your request **must be filed or eFiled no later than <Company to insert date 10 calendar days following the filing of the Application>**. Instructions and restrictions for eFiling are available on the Commission’s website at <http://azcc.gov/hearing/efile-for-utilities-instruction>. You also **must** serve a copy of the request to intervene on each party of record, on the same day that you file the request to intervene with the Commission.

Your request to intervene **must** contain the information below:

1. Your name, address, and telephone number;
2. The docket number for the case in which you are requesting to intervene;
3. A short statement explaining:
 - a. Your interest in the proceeding (e.g., a customer of the Company, etc.),
 - b. How you will be directly and substantially affected by the outcome of the case, and
 - c. Why your intervention will not unduly broaden the issues in the case;
4. A statement certifying that you have sent a copy of your request to intervene to the Company or its attorney and to all other parties of record in the case; and
5. If you are not represented by an attorney who is an active member of the Arizona State Bar, and you are not representing yourself as an individual, sufficient information and any appropriate documentation to demonstrate compliance with Arizona Supreme Court Rules 31, 38, 39, and 42, as applicable. This only applies if you are NOT representing yourself and you are not a licensed attorney.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before <Company to insert date 10 calendar days following the filing of the Application>**.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Kacie Cannon, E-mail KCannon@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.