

APS Rate Case Update
Information & Perspective by Warren Woodward
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Seven days of APS rate case hearings before an Arizona Corporation Commission (ACC) administrative law judge (ALJ) ended May 2nd. Post-Hearing Briefs were then due May 17th, and Post-Hearing Rebuttal Briefs were due June 1st. So when I wasn't making [videos](#) of my heart getting zapped by a "smart" meter, May was spent writing.

Now the ALJ will take time to read the Briefs then issue what's called a Recommended Opinion & Order (ROO) to the ACC commissioners who will consider the ROO and hold an open meeting to vote on what they think APS should get in this rate case. There is no time schedule for all that to take place, but I'd guess three weeks for the ALJ to issue the ROO and then two or three weeks for the ACC to have an open meeting.

There is a wild card in the proceedings. ACC commissioner Robert Burns has been trying to get APS to disclose its political spending on the 2014 ACC election. Part of Burns' effort involves a motion to postpone the rate case. So far, Burns has been ignored and legally stymied by both APS and the other commissioners (now he knows what that's like, LOL). I suspect the cold shoulder he's been getting will continue and his motion will be ignored or dismissed.

Throughout this rate case I have anxiously waited for APS to come down on me with a ton of facts. It hasn't happened; I guess because they don't have any. Since APS is the "applicant" in this rate case, APS has the burden proof. Despite having a bevy of lawyers, APS has not met that burden of proof. Evidently APS thinks all it has to do is issue unsubstantiated pronouncements.

The ACC Staff, as usual, has shown themselves to be (surprise!) very pro-APS. RUCO, the government agency set up to supposedly represent residential ratepayers, has been awful, advocating positions that do not benefit residential ratepayers at all.

Both Staff and APS have been (surprise again!) dishonest in various ways. Both are engaging in what looks like accounting fraud -- one committing it, the other condoning it. You can read the details in my two Briefs, here: <http://docket.images.azcc.gov/0000179716.pdf> and here: <http://docket.images.azcc.gov/0000180031.pdf> . Just reading the tables of contents will give you an idea of what a mess the whole thing is.