

**APS Rate Case -- Exceptions to the ROO Filed
Information & Perspective by Warren Woodward
Sedona, Arizona ~ August 5, 2017**

While the Administrative Law Judge's Recommended Opinion & Order (ROO) in the APS rate case at the Arizona Corporation Commission (ACC) separated out all "smart" meter issues into a "forthcoming decision," there are still other, non-"smart" meter issues in the ROO that I had taken an interest in during the rate case and on which I had testified. So yesterday I filed EXCEPTIONS TO THE JULY 26, 2017 RECOMMENDED OPINION & ORDER + MOTION FOR CLARIFICATION.

The document is here: <http://docket.images.azcc.gov/0000181843.pdf>

It's only 8 double-spaced pages, 2 of which are largely taken up by the necessary legal format. I take on the mandatory 90 day demand/TOU rate period for new customers (which is actually illegal, but since when has the ACC paid attention to laws?), the increase in basic service charges, the \$5M handout to APS so APS can "educate" us, and the fact that the settlement process itself is an illegitimate backroom deal. I think those of you who appreciate my "forthright" style will enjoy it, and probably be as outraged as I am about the whole thing. Essentially, the entire rate case process is a grand farce, an empty and deceitful pretense.

By the way, in the last rate case update I said the Administrative Law Judge (ALJ) was probably telling her employers, the ACC commissioners, what they wanted to hear in the ROO. I forgot to mention that her pro-establishment bias was quite evident during the hearings over which she presided. Several times when I was questioning witnesses she did the work of the APS lawyers by objecting to my questioning. It's not her job to object. At pretty much any given time during the hearings, APS had at least 4 lawyers there, any one of whom was quite capable of making their own objections, which they did when they wanted to. Same thing with ACC Staff. They may have had "only" 3 lawyers there though.

At one point when I was on the witness stand being questioned, an objection was made to the question asked to me. Since I represent myself, I should have been able to weigh in on the objection like so many other lawyers were doing. The ALJ shut me down in an instant saying I could not speak because "You're a witness." Yet there was a similar situation when the ACC Utilities Division director was on the stand. He is not a lawyer nor does he represent himself, but he was allowed to speak on the objection that was pending.

All animals are equal, but some animals are more equal than others. ~ George Orwell, Animal Farm