

**2 New Challenges to APS
Information & Perspective by Warren Woodward
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In addition to my appeals of the Arizona Corporation Commission's decision in the APS rate case, there are now two more challenges to APS.

Last week at the ACC's rate case docket, Intervenor Richard Gayer filed a Motion to Compel APS to comply with the ACC's decision. Gayer's Motion rightfully claims that the ACC's decision did not grant APS the right to double bill for meter reading. Right now, APS is billing customers who refuse "smart" meters a meter reading fee of \$2.30 per month *as well as* an additional meter reading fee of \$5 per month for having to read a "non-smart" meter.

If the ACC does not respond to Gayer's Motion within 20 days, the Motion is deemed denied. If that's the case then Gayer may take the matter to the Court of Appeals.

Gayer's Motion is here: <http://images.edocket.azcc.gov/docketpdf/0000184699.pdf>

The other challenge to APS is currently in the form of a petition for rehearing. In so many words, [Arizona Revised Statute § 40-246](#) allows that if "not less than twenty-five consumers or purchasers, or prospective consumers or purchasers, of the service" of a public service corporation (such as APS) petition for a rehearing then the ACC has to hold a rehearing.

The rate increase that the ACC gave APS is a rip-off, and not just for those customers who've refused "smart" meters. After being told the rate increase would be "only 4.5%," many customers are experiencing bills that increased much greater than that. And many customers are paying way more than they did last year even though they are using less electricity than they did last year.

As of this writing there are almost 400 signatories to the petition, more than enough to trigger a rehearing.

In my opinion, the problem with this approach is that it will most likely lead to nothing more than another ACC rubber stamp on APS's wish list, which is what the ACC's last hearing was. That said, nothing ventured, nothing gained.

The petition, which has not yet been submitted to the ACC, is here: <https://www.change.org/p/arizona-corporation-commission-we-aps-customers-demand-a-rate-hike-rehearing> .

PS - As you may know, since the ACC decision was made, ACC commissioner Doug Little resigned from the ACC to take a job at the U.S. Department of Energy, an agency as worthless as he is. Governor Doug Ducey appointed Justin Olson to replace Little at the ACC. Olson used to be an Arizona State Representative. I looked him up at followthemoney.org. Anyone reading this should be able to correctly guess who his largest corporate political donor was (hint: starts with "A").