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Warren Woodward
200 Sierra Road
Sedona, Arizona 86336
928 862 2774
w6345789@yahoo.com

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

TOM FORESE, CHAIRMAN
BOB BURNS
BOYD DUNN
JUSTIN OLSON
ANDY TOBIN

Arizona Corporation Commission

DOCKETED

SEP 17 2018

DOCKETED BY

IN THE MATTER OF THE FORMAL
COMPLAINT AGAINST ARIZONA PUBLIC
SERVICE COMPANY FILED BY STACEY
CHAMPION AND OTHER ARIZONA
PUBLIC SERVICE COMPANY
CUSTOMERS.

DOCKET # E-01345A-18-0002

**RESPONSE IN OPPOSITION TO
STAFF'S MOTION FOR EXTENSION
OF TIME TO FILE
TESTIMONY/STAFF REPORT**

Warren Woodward (“Woodward”), Intervenor in this proceeding and customer of Arizona Public Service Company (“APS”), hereby submits his Response in Opposition to Arizona Corporation Commission (“ACC”) Staff’s Motion for Extension of Time to File Testimony/Staff Report (“Motion”).

Woodward opposes Staff’s Motion for all the reasons given by Complainant Stacey Champion in her Response to Staff’s Motion for an Extension of Time to File Testimony/Staff Report. Woodward also opposes Staff’s Motion for the following additional reasons:

1.) Complainant correctly points out that “If the Hearing is delayed, or Staff provides its testimony or staff report after the Hearing, Ms. Champion will be significantly prejudiced.” But Ms. Champion is not the only one who would be significantly prejudiced. So will the thousands of APS residential customers who, by APS's own admission, are suffering bill impacts far greater than 4.54% *every day* that the unjust and unreasonable rate increase granted by ACC Decision 76295 is in effect. *Justice delayed is Justice denied.*

2.) Staff's alleged workload is Staff's problem and should not be made the problem of the Parties to this Compliant. The proper place for Staff to direct their workload complaint is to the ACC executive director and to ACC commissioner Forese (who incorrectly requested Staff intervene in this case), *not* to the Parties to this Complaint. Also, it is obvious that remedies exist for Staff's alleged workload problem that *do not include* burdening the Parties (and the thousands of ripped-off APS customers) with delay, but it is also obvious that Staff did not employ those remedies. For example, Staff can (and has in the past) use outside counsel to do its work. For another example, the ACC Legal Division can stop wasting time and human resources by assigning three and four people to its cases. Staff's Motion for Extension of Time includes many work-related complaints but not any evidence that attempts were made to actually deal with those complaints constructively. As well, Staff attorney Maureen Scott claimed Staff was overloaded at the July 25, 2018 hearing at which Staff was permitted to intervene. That

was over seven weeks ago! Prudence would dictate that appropriate measures should have been taken to deal with a known problem yet nothing has changed in seven weeks. In other words, Staff knew there was a problem but, according to their Motion for Extension of Time, Staff did absolutely nothing about it. As such, Staff is undeserving of any extension.

In light of all of the above, Staff's Motion should be denied.

RESPECTFULLY SUBMITTED this 17th day of September, 2018.

By,

A handwritten signature in black ink, appearing to read "W. Woodward". The signature is fluid and cursive, with the first name "Warren" and last name "Woodward" clearly visible.

Warren Woodward
200 Sierra Road
Sedona, Arizona 86336

Original and 13 copies of the foregoing hand delivered on this 17th day of September, 2018 to: ACC, Docket Control, 1200 W. Washington St., Phoenix, Arizona 85007

Copies of the foregoing emailed this 17th day of September, 2018 to: **Service List**