TOWN OF PARADISE VALLEY’S RESPONSE TO EPCOR’S APPLICATION FOR INTERIM RATES

The Town of Paradise Valley files its Response to EPCOR’s Application for Interim Rates ("Application"). The Town of Paradise Valley hereby joins in the Response filed by the Residential Utility Consumer Office (RUCO) and finds that all of the arguments made by RUCO are the same as those that the Town of Paradise Valley would make. The Town would join in arguing that the Commission should dismiss the application by EPCOR for interim rates because neither EPCOR nor Commission staff have alleged any facts that would support emergency or interim rates under the current ACC Rules or the guidance of the Opinion of the 1971 Arizona Attorney General Opinion (see AG Opinion No. 71-17).

In particular, EPCOR has not alleged in its Application that it is currently experiencing any of the factors that would justify an application for emergency rates under the requirements set forth by the Commission Decision No. 75743, at Attachment A, the “Requirements to Process and Emergency Rate Case Application Within 30 Days.” Namely, EPCOR has not alleged, nor can it
likely prove, that it is: 1) suffering under a sudden change that brings hardship; 2) insolvent; and/or
3) in serious doubt over whether it will be able to maintain service pending a permanent rate
determination.

Further, as RUCO has ably demonstrated, the time clock rule should not apply to an eleven
district rate case, particularly one with as many issued as were present in Docket No. WS-01303A-
17-0257, including the fairly controversial issue of company-wide district and rate consolidation.
Because the time clock rule did not apply to Docket No. WS-01303A-17-0257, the failure of that
case to have resulted in a final decision does not justify interim rates, and EPCOR has not
established that the Commission will be unable to grant permanent rate relief “within a reasonable
time” (see AG Opinion No. 71-17, at p. 13).

For the reasons briefly stated herein, but more fully stated in the Response filed by RUCO, the
Town of paradise Valley joins with RUCO in requesting a dismissal of EPCOR’s Application.

Respectfully submitted this 11th day of February, 2019.

Town of Paradise Valley

Andrew M. Miller, Town Attorney
6401 E. Lincoln Drive
Paradise Valley, AZ 85253
Attorney for Town of Paradise Valley

ORIGINAL and thirteen (13) copies
of the foregoing were filed
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Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPY of the foregoing mailed/delivered/e-mailed
this 11th day of February, 2019, to:
Daniel Pozefsky
Residential Utility Consumer Office
1110 West Washington Street, Suite 220
Phoenix, Arizona 85007
dpozefsky@azruco.gov
procedural@azruco.gov
jfuentes@azruco.gov
cfraulob@azruco.gov
Consented to Service by Email

Robin Mitchell – Chief Counsel/Division Director, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
LegalDiv@azcc.gov
utildivservicebyemail@azcc.gov
Consented to Service by Email

Roger Willis
Anthem Community Council, Inc.
3701 West Anthem Way, Suite 201
Anthem, Arizona 85086
roger@willis-home.com
KNorthcutt@anthemcouncil.com
Consented to Service by Email

Greg Eisert
Sun City Homeowners Association
10401 W. Coggins Drive
Sun City, Arizona 85351
Albert Gervenack, Director
Bob Miller, Director
Sun City West Property Owners & Residents Association
13815 Camino Del Sol
Sun City West, Arizona 85375
al.gervenack@porascw.org
Bob.miller@porascw.org
mark.johnson@porascw.org
Consented to Service by Email

Marshall Magruder
PO Box 1267
Tubac, AZ 85646-1267
mmagruder@earthlink.net
Consented to Service by Email

Regina Shanney-Saborsky
Corte Bella Country Club Association
22155 North Mission Drive
Sun City West, AZ 85375
rsaborsky@cox.net
Consented to Service by Email

Douglas Edwards
13517 West Sola Drive
Sun City West, Arizona 85375
d.edwards795@yahoo.com
Consented to Service by Email

Diane Terry Smith
13234 West Cabrillo Drive
Sun City West, Arizona 85375
skylar_98@q.com
Consented to Service by Email

Michele Van Quathem
Law Offices of Michele Van Quathem, PLLC
7600 N. 15th Street, Suite 150-30
Phoenix, Arizona 85020
Attorney for DMB White Tank, LLC; DMB
Verrado Golf I LLC; Verrado ARC LLC; and
Verrado Community Association, Inc.
mvq@mvqlaw.com
Consented to Service by Email

Lawrence Robertson, Jr.
210 West Continental Road, Suite 216A
Green Valley, Arizona 85622
Attorney for Santa Cruz Valley Citizens
Council, Tubac Golf Resort, Cerro Pelon HOA,
and Palo Parado Estados HOA

Consented to Service by Email
tubaclawyer@aol.com

Raymond Valle
20823 W. Canyon Drive
Buckeye, Arizona 85396
phxvalles@gmail.com
Consented to Service by Email

Steve Wene
Moyes Sellers & Hendricks, LTD
1850 N. Central Avenue, Suite 1100
Phoenix, AZ 85004
swene@law-msh.com
Consented to Service by Email

By: [Signature]