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Chairman Robert "Bob" Burns  
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## **REVISED NOTICE**

### OPEN MEETING OF THE ARIZONA CORPORATION COMMISSION

Tuesday, February 5, 2019 &  
Wednesday, February 6, 2019 at 10:00 a.m.

Hearing Room One  
1200 W. Washington St.  
Phoenix, AZ 85007

This shall serve as notice of an open meeting at the above location for consideration, discussion, and possible vote of the items on the agenda and other matters related thereto. Commissioners may attend the proceedings in person, or by telephone, video, or internet conferencing, and may use this open meeting to ask questions about the matters on the agenda. The parties to the matters to be discussed or their legal representatives are requested, though not required, to attend. The Commissioners may move to executive session, which will not be open to the public, for the purpose of legal advice pursuant to A.R.S. § 38-431.03 (A) (3) on the matters noticed herein.

Persons with a disability may request reasonable accommodations by contacting the Commission Secretary listed above.

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### **Chairman's Proposed Consent Agenda**

1. **CoverLugg LLC, FoneFace, LLC, Birdie Media LLC and Gregory J** ([S-20984A-16-0315](#)) – Recommended Opinion and Order to Cease and Desist, Order for Restitution and Administrative Penalties to: Coverlugg LLC, Birdie Media LLC, Gregory J. Sanchez and Jill K. Sanchez.
2. **Titan Funding Group I, LLC et al.** ([S-21054A-18-0301](#)) – Order to Cease and Desist, Restitution and Consent to Same By: Respondents Titan Funding Group I, LLC and Titan Capital Holdings LLC.



3. **Real Estate Corporation et al.** ([S-21018A-17-0232](#)) – Order to Cease and Desist, Restitution, Administrative Penalties and Consent to Same By: Respondents Real Estate Finance Corporation, WIN Opportunity Fund, LLC, Adam W. Child and Erin M. Child. Order to Dismiss Without Prejudice Re: Respondent WIN Management, LLC.
4. **Union Pacific Railroad Company** ([RR-03639A-18-0255](#)) – Application for Approval to Construct and Maintain a New Grade Separated Crossing and to Allow the Union Pacific Railroad Company to Remove an Existing At-Grade Crossing at Interstate 10 and Ruthrauff Road in the City of Tucson, Pima County, Arizona, AAR/Dot #741-104C.
5. **Union Pacific Railroad Company** ([RR-03639A-07-0518](#)) – Application to Alter Four Crossings of the Union Pacific Railroad in the City of Casa Grande and in Pinal County, Arizona at Montgomery, Thornton, Anderson, and Ethington Roads.
6. **Commnet Four Corners, LLC** ([T-21056A-18-0316](#)) – Application for Designation as an Eligible Telecommunications Carrier in Arizona for Purposes of Receiving CAF Phase II Support.
7. **Crown Castle NG West LLC** ([T-20377A-18-0288](#)) – Application for Approval to Transfer Customer Base and (2) Cancellation of the Certificates of Crown Castle NG West LLC, and Newpath Networks, LLC.
8. **Newpath Networks, LLC.** ([T-20567A-18-0289](#)) – Application for Approval to Transfer Customer Base and (2) Cancellation of the Certificates of Crown Castle NG West LLC, and New Path Networks, LLC.
9. **Crown Castle Fiber, LLC** ([T-21053A-18-0285](#)) – Application for Approval of a Certificate of Convenience and Necessity to Provide Intrastate Telecommunications Services in the State of Arizona.
10. **Viasat Carrier Services, Inc.** ([T-21057A-18-0319](#)) – Application for Designation as an Eligible Telecommunications Carrier to Receive Connect America Fund Phase II Auction (Auction 903) Support for Voice and Broadband Services.
11. **North County Communications Corporation** ([T-03335A-12-0368](#) and [T-01051B-12-0368](#)) – Formal Complaint of North County Communications Corporation of Arizona vs. Qwest Corporation dba CenturyLink QC. **(DOCKET NUMBER ADDED)**
12. **Peoples Valley Water Company** ([W-02146A-18-0328](#) and [W-02146A-18-0327](#)) – Application for Approval of a Financing Application and for Approval of a Rate Increase.
13. **Little Park Water Company, Inc.** ([W-02192A-18-0093](#) & [W-02192A-18-0127](#)) – Order Correcting Decision No. 76835 *NUNC PRO TUNC*.
14. **Tucson Electric Power Company** ([E-01933A-13-0224](#)) – Application for Closure of the Voluntary Solar Contribution Program.



15. **UNS Electric, Inc.** ([E-04204A-13-0225](#)) – UNS Electric, Inc.’s Request for Closure of the Voluntary Solar Contribution Program.
16. **UNS Electric, Inc.** ([E-04204A-18-0239](#)) – Application for Approval of its 2019 Renewable Energy Standard Implementation Plan.
17. **Sulphur Springs Valley Electric Cooperative, Inc.** ([E-01575A-15-0312](#)) – Application for Approval of Distributed Generation Tariff Schedule DG and Export Rate Plan of Administration.
18. **Arizona Corporation Commission** ([RE-00000A-07-0609](#)) – Staff’s Motion for Order *NUNC PRO TUNC* Correcting Decision No. 77056. **(ITEM ADDED)**

### Regular Agenda

19. **Concordia Financing Company, LTD et al.** ([S-20906A-14-0063](#)) - Recommended Opinion and Order to Cease and Desist, Order for Restitution and Administrative Penalties to Concordia Financing Company, LTD a/k/a Concordia Finance, ER Financial & Advisory Services, LLC, Lance Michael Bersch, David John Wanzek and Linda Wanzek.
20. **Johnson Utilities, L.L.C.** (WS-02987A-18-0050) – Update from Interim Manager and/or Utilities Division Staff.
21. **Rio Verde Utilities, Inc. and EPCOR Water AZ, Inc.** ([WS-01303A-18-0304](#) & [WS-02156A-18-0304](#)) – Update from Utilities Division Staff. **(ITEM ADDED)**
22. **Clearwater Utilities Company, Inc.** ([W-01752A-18-0042](#)) – Application for Approval of a Rate Increase.
23. **Arizona Corporation Commission** ([AU-00000A-17-0379](#)) – In the Matter of the Commission’s Inquiry Into Possible Modification of the Federal Income Tax Reform Rate Adjustment – Motion to Reopen Decision No. 76974 Pursuant to A.R.S. §40-252 for Consideration of Commissioner Olson’s [Amendment No. 6](#) and the [Water Utility Association](#) of Arizona’s Proposed Amendment No. 2.
24. **Tucson Electric Power Company** ([E-01933A-17-0250](#)) – Application for Approval of Its 2018 Energy Efficiency Implementation Plan and Request for Waiver Under A.A.C. R14-2-2419.
25. **Arizona Public Service Company** ([E-01345A-16-0036](#) & [E-01345A-16-0123](#)) – Application for Approval of Lost Fixed Cost Recovery Mechanism Adjustment. **(ITEM MOVED FROM CONSENT)**
- ~~26. **Arizona Public Service Company** ([E-01345A-16-0036](#) & [E-01345A-16-0123](#)) – Order Regarding the Approval of a Selective Catalytic Reduction (“SCR”) Adjustment. **(ITEM PULLED)**~~



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- ~~27. Arizona Public Service Company (E-01345A-18-0003) – Supplemental Application to Implement Tax Expense Adjustor Mechanism. (ITEM PULLED)~~
28. **Arizona Corporation Commission** ([E-00000V-15-0094](#)) – Commission Discussion and Consideration of Commissioner [Tobin's November 16, 2018 letter](#). The Commission may Vote to Re-Instate or Modify the Commission's Natural Gas Moratorium that was Imposed in Decision No. [76632](#).
29. **Arizona Corporation Commission** ([E-00000Q-17-0293](#)) – Commission Discussion and Consideration of Commissioner [Tobin's Letter](#) of November 14, 2018. The Commission may Vote to Require Arizona Public Service Company, Tucson Electric Power Company, UNS Electric, Southwest Gas, UNS Gas and any Other Energy Utilities Regulated by the Commission to Respond to Commissioner Tobin's November 14, 2018 Letter.
30. **Arizona Corporation Commission** (E-00000Q-19-0015) – Commission Policies Regarding PURPA in Arizona: Commission discussion, consideration and possible vote regarding Commissioner Tobin's [January 29, 2019 letter](#). **(ITEM ADDED)**