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REVISED NOTICE

OPEN MEETING OF THE ARIZONA CORPORATION COMMISSION

Tuesday, March 12, 2019 &
Wednesday, March 13, 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. **BAIC, Inc. et al. (S-21044A-18-0071) – Order to Cease and Desist, Restitution, Administrative Penalties and Other Affirmative Action. (ITEM PULLED)**~~
2. **Thomas P. Madden and Leslie Madden (S-21042A-18-0059) – Order to Cease and Desist, Restitution, Administrative Penalties and Consent to Same against Thomas P. Madden.**
3. **Pacific Capital Enterprises LLC et al. (S-21035A-17-0391) – Order to Cease and Desist, Restitution, Administrative Penalties and Consent to Same by Respondents Pacific Capital**



Enterprises LLC, Superior Diamond Management LLC, Michael Barry Eckerman, and Tonya Eckerman.

4. **Union Pacific Railroad Company** ([RR-03639A-07-0519](#)) – [Motion](#) Request to Modify Decision No. [70649](#) to Remove the Compliance Requirement of Union Pacific Railroad to File every Five Years an Update Report Obtained from the Road Authority or a Contractor Hired by the Railroad Detailing the Average Daily Traffic Counts at each of the Five Crossings in Pinal County, Arizona at Trekell, Keeling, Peart, Cox and Sunland Gin Roads.
5. **Union Pacific Railroad Company** ([RR-03639A-07-0520](#)) – [Motion](#) Request to Modify Decision No. [70618](#) to Remove the Compliance Requirement to Secure Traffic Count Information for Three Crossings of the Union Pacific Railroad in the City of Casa Grande, Pinal County, Arizona at Sacaton, Florence and Hermosillo Streets.
6. **CereTel Incorporated** ([T-20943A-18-0337](#)) – Application for Approval to Cancel its Certificate of Convenience and Necessity.
7. **Vero Fiber Networks, LLC** ([T-21033A-17-0371](#)) – Application for Approval of a Certificate of Convenience and Necessity to Provide Intrastate Telecommunications Services.
8. **Johnson Utilities L.L.C.** ([WS-02987A-08-0180](#)) – CAGR Annual Adjustor Fee Reset.
9. **Global Water – Santa Cruz Water Company, LLC, Global Water – Palo Verde Utilities Company, LLC, Water Utility of Greater Tonopah, LLC, Water Utility of Northern Scottsdale, LLC, Eagletail Water Company, L.C., Global Water – Turner Ranches Irrigation, LLC, Hassayampa Utility Water Company, LLC, Balterra Sewer, LLC, Global Water – Picacho Cove Utilities Company, LLC, Global Water – Picacho Cove Water Company, LLC, and Global Water – Red Rock Utilities, LLC** ([W-20446A-18-0371](#), [SW-20445A-18-0371](#), [W-02450A-18-0371](#), [W-03720A-18-0371](#), [W-03936A-18-0371](#), [W-01677A-18-0371](#), [SW-20422A-18-0371](#), [SW-20403A-18-0371](#), [SW-20494A-18-0371](#), [W-20495A-18-0371](#) and [WS-04245A-18-0371](#)) – Joint Application to Eliminate Unnecessary Regulatory Reports.
10. **Liberty Utilities (Bella Vista Water) Corp. and Liberty Utilities (Rio Rico Water & Sewer) Corp.** ([W-02465A-15-0367](#), [W-02465A-15-0370](#), [WS-02676A-15-0368](#), and [WS-02676A-15-0371](#)) – Order Correcting Decision No. 75809 *Nunc Pro Tunc*.
11. **Sahuarita Water Company, LLC.** ([W-03718A-09-0359](#)) – CAGR Annual Adjustor Fee Reset.
12. **Monte Vista Water Co. L.L.C.** ([W-02703A-18-0130](#)) – Application Requesting a Financing Surcharge.
13. **Tucson Electric Power Company** ([E-01933A-18-0270](#)) – Formal Complaint of Complainant, Leisa Forman V. Tucson Electric Power Company, Respondent.



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14. **Tucson Electric Power Company** ([E-01933A-19-0025](#)) – Application for Approval of a Revised Rider R-3 Market Cost of Comparable Conventional Generation.
 15. **Tucson Electric Power Company** ([E-01933A-15-0322](#) and [E-01933A-15-0239](#)) – Application for Authorization for Annual Purchased Power and Fuel Adjustment Clause (“PPFAC”) Rate Adjustment.
 16. **UNS Electric, Inc. & Mohave Electric Cooperative, Incorporated** ([E-04204A-18-0414](#) and [E-01750A-18-0414](#)) – Application for an Order Approving a Borderline Agreement.
 17. **Oak Creek Water Company No. 1** (W-01392A-19-0042) –Application for an Emergency Rate Surcharge. **(ITEM ADDED)**
 18. **Navopache Electric Cooperative, Inc.** ([E-01787A-18-0104](#)) – Application for a Determination of the Fair Value of its Property for Ratemaking Purposes, to Fix a Just and Reasonable Return Thereon, to Approve Rates Designed to Develop Such Return and to Grant Associated Waivers.

Regular Agenda

19. **Valley Utilities Water Company, Inc.** ([W-01412A-18-0340](#)) – In the Matter of the Commission Inquiry into Possible Modification of the Federal Income Tax Reform Rate Adjustment for Valley Utilities Water Company, Inc. **(ITEM MOVED FROM CONSENT)**
20. **Walden Meadows Community Co-Op** ([W-02369A-18-0331](#)) – Application for Approval of a Rate Increase.
21. **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.
22. **Johnson Utilities L.L.C.** (WS-02987A-18-0050) – Update from Interim Manager and/or Utilities Division Staff.
23. **Johnson Utilities L.L.C.** ([WS-02987A-17-0392](#)) – Application for a Determination of the Fair Value of its Water and Wastewater Utility Plant and Property, for Increases in its Rates and Charges for Water and Wastewater Utility Service, and for Related Approvals. Johnson Utilities’ Request to withdraw its rate application.
24. **Johnson Utilities LLC** (WS-02987A-17-0392) – Application for a Determination of the Fair Value of Its Water and Wastewater Utility Plant and Property, for Increases in Its Rates and Charges for Water and Wastewater Utility Service, and for Related Approvals- Motion to Reopen Decision [No. 76889](#) pursuant to A.R.S. §40-252, with notice and opportunity to be heard, for the



purpose of determining “fair value” and compliance with other legal requirements in conjunction with the elimination of federal and state income tax expense, the income tax gross up on AIAC, and Administrative Fee limitation.

25. **Arizona Public Service Company** ([E-01345A-18-0003](#)) – Application to Implement Phase II of Tax Expense Adjustor Mechanism.

26. **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 the [Water Utility Association](#) of Arizona’s Revised Proposed Amendment No. 2.

27. **Arizona Corporation Commission** (AU-00000E-17-0079) – Commission Discussion, Consideration, and Possible Vote Regarding the Modification of the Commission’s Code of Ethics. The Commission may vote to go into Executive Session for discussion and consultation with its attorneys in these matters pursuant to A.R.S. 38-431.03A (3) and (4), which will not be open to the public.