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ARIZONA POWER AUTHORITY
1810 W. Adams Street • Phoenix, AZ 85007-2697
(602) 368-4265 • FAX (602) 253-7970

Governor's Regulatory Review Council
100 N. 15th Ave., Suite 402
Phoenix, AZ. 85007

November 17, 2014
Phoenix, AZ.

Dear Sirs and Madames:

Re: Arizona Power Authority, Notice of Final Rulemaking Package for A.A.C. R12-14-602 et seq.

Pursuant to the requirements contained in A.A.C. R1-6-201, enclosed please find the Arizona Power Authority (Authority) Notice of Final Rulemaking for its administrative appeals regulations. A.A.C. R12-14-602 et seq. The Governor's Regulatory Review Council (GRRC) pursuant to A.A.C. R1-6-201, requires the cover letter to specify:

A.1(a). The close of record date: October 29, 2014.

A.1(b). Whether the rulemaking activity relates to a five-year review report and, if applicable, the date the report was approved by the Council: The answer is no.

A.1(c). Whether the rule establishes a new fee and, if it does, citation of the statute expressly authorizing the new fee: The Authority rule does not establish any new fees, and in fact contains no fees.

A.1(d). Whether the rule contains a fee increase: The rules does not contain a fee increase.

A.1(e). Whether an immediate effective date is requested for the rule under A.R.S §41-1032: The answer is no.

A.1(f). A certification that the Preamble discloses a reference to any study relevant to the rule that the agency reviewed and either did or did not rely on in the agency's evaluation of or justification for the rule: The Authority certifies that it did not refer to, review, or rely on any study in the agency's evaluation of or justification of the rule. Section six of the Preamble contains the referenced certification.

A.1(g). If one or more full-time employees are necessary to implement and enforce the rule, a certification that the preparer of the economic, small business, and consumer impact statement has notified the Joint Legislative Budget Committee of the number of new full-time employees necessary to implement and enforce the rule: The Authority will not require any new full-time employees to implement and/or enforce the rule.

A.1(h). A list of all documents enclosed:

The Authority encloses the following documents: (a) the cover letter

A.2. Notice of Final Rulemaking, required by A.A.C. R1-1-602, including the preamble, table of contents for the rulemaking, and text of each rule: The Notice of Final Rulemaking is enclosed.

A.3. An economic, small business, and consumer impact statement that contains the information required by A.R.S. § 41-1055: Section 9 of the Preamble contains an economic, small business, and consumer impact statement on the rule.

A.4. The written comments received by the agency concerning the proposed rule and a written record, transcript, or minutes of any testimony received if the agency maintains a written record, transcript, or minutes: The Authority received no written comments on the rule. In addition the Authority held an oral proceeding on October 29, 2014. The oral proceeding was ten minutes in length. Other than a couple of general comments in support of the rulemaking, the Authority received no specific oral comments on the rule. For that reason the Authority did not prepare a written transcript of the proceeding.

A.5. Any analysis submitted to the agency regarding the rule's impact on the competitiveness of businesses in this state as compared to the competitiveness of businesses in other states: The Authority received no such submittals.

In addition to the documents required in subsection (A), an agency shall submit one electronic or paper copy of each reference document that follows:

B. 1. Materials incorporated by reference, if any: One paper copy is included. For a list of reference materials, see Section 13 of the Preamble. Note that the Authority did not provide duplicates where the same subsection is cited more than once in Section 13.

B.2. The general and specific statutes authorizing the rule, including relevant statutory definitions: The Authority is organized under A.R.S. §§30-101 et seq., and A.R.S. §§45-1701 et seq. The specific statutory citations authorizing the rule are A.R.S. § 41-1003 and §41-1092.01(F).

B.3. If a term is defined in the rule by referring to another rule or a statute other than the general and specific statutes authorizing the rule, the statute or other rule referred to in the definition: There is none.

B.4. The existing rule if any subsections within the existing rule are designated as “no change” in the revised text of a rule the agency is amending: There are none.

If you have any questions on any of the material submitted on the above Notice of Final Rulemaking, please contact our legal counsel Douglas Fant at 602-368-4265 (O), 602-770-5098 (C), or at doug@powerauthority.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Gazda", written in a cursive style.

Michael Gazda
Interim Acting Executive Director
Arizona Power Authority