

## COMMISSION

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Michael A. Gazda  
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Susan E. Angulo  
**Executive Secretary**

### **ARIZONA POWER AUTHORITY REGULAR COMMISSION MEETING NOVEMBER 20, 2012 - 10:00 AM**

The Commission may elect to hold an Executive Session for any agenda item at any time during the meeting to discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. § 38-431.03(a)(3). Items on this agenda may be discussed out of the order reflected below, unless they have been specifically noted to be set for a time certain.

The Arizona Power Authority does not discriminate on the basis of a disability regarding admission to public meeting. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Ms. Susan Angulo, (602) 368-4265. Requests should be made as early as possible to allow time to arrange the accommodation.

#### **A. CALL TO ORDER**

#### **B. PLEDGE OF ALLEGIANCE**

#### **C. ROLL CALL**

#### **D. APPROVAL OF MINUTES**

1. Regular Meeting and Executive Session – October 16, 2012

#### **E. REVIEW OF FY2012 ANNUAL AUDIT REPORT – *Joe Mulholland* (possible action)**

(*Ronald L. Stearns, Partner, and Irma Ashworth, Assurance Manager – CliftonLarsonAllen, LLP*)

#### **F. REVIEW OF EXPENDITURES AND FINANCIAL REPORTS – *Marcia Kennedy***

(A list of expenditures to be approved at the meeting will be available at the Arizona Power Authority 24 hours prior to the meeting.)

#### **G. REPORT OF EXECUTIVE DIRECTOR – *Joe Mulholland***

1. Arizona Power Authority Activities
2. Post-2017 Allocation Process
3. Application for Schedule D-1 Hoover Power to Western by new qualified applicants

#### **H. AGENDA ITEMS**

1. Consideration that APA wait for Western to allocate D-1 power before APA begins the formal process to allocate A, B and D-2 power within Arizona – *Joe Mulholland and Doug Fant* (possible action)
2. Power Operations Matters – *Mike Gazda*
  - a. Hoover Dam and transmission issues
  - b. Colorado River Basin Water Report reviewing current and historical precipitation, flow, and storage data

3. Pending Legal and Administrative Proceedings – *Doug Fant*
  - a. Formal report on how the 1993 APA Rules Revision affects the Post-2017 Hoover Power Allocation Process
  - b. Hoover Post-2017 Process and Allocation Activities
  - c. Irrigation Electrical Districts' Association of Arizona (IEDA) vs. Arizona Power Authority Litigation
  - d. Hoover Federal Power Contracts Group

#### **I. EXECUTIVE SESSION FUTURE COMMISSION MEETING**

#### **J. COMMISSIONERS' COMMENTS**

#### **K. VISITORS' COMMENTS**

- Visitors' comments may be limited to no more than five (5) minutes per person and one person per organization
- For items not specifically identified on the agenda, pursuant to A.R.S. § 38-431.01(H) Commission action taken as a result of public comment will be limited to directing staff to study a matter, responding to criticism, or scheduling a matter for further consideration and decision at a later date

#### **L. CONSIDERATION TO RETAIN A CONSULTANT TO PROVIDE RECOMMENDATIONS TO THE COMMISSION FOR METHODS TO ALLOCATE POST-2017 HOOVER POWER AND ENERGY TO QUALIFIED APPLICANTS – *Joe Mulholland and Doug Fant* (possible action)**

- a. Consultant will be directed by and answer to the APA Commission
- b. Consultant will work with APA staff
- c. Recommendation to go into Executive Session to receive legal advice regarding:
  - Possible Ex Parte Communication between Commission and Consultant
  - Interface between APA Staff – Commission – Consultant
  - Payment for Consultant Post-2017

***NOTE: Action on Agenda Item L. may be taken after the Commission returns from Executive Session***

#### **M. EXECUTIVE SESSION**

Upon a public majority vote, the Commission may hold an Executive Session, which is not open to the public, for the following matters:

- Pursuant to A.R.S. § 38-431.03. A.3, discuss or consider with its legal counsel Arizona Power Authority's Hoover Post-2017 State Allocation Process and how the Arizona Power Authority should approach process
- Pursuant to A.R.S. § 38-431.03.A.3 discuss or consider with its legal counsel Hoover Post-2017 Schedule A, B, C and D Power Allocations and what legal parameters apply or may be applied to such allocations
- Pursuant to A.R.S. § 38-431.93.A.3, discuss or consider with its legal counsel issues related to the IEDA vs. Arizona Power Authority litigation
- Pursuant to A.R.S. § 38-431.93.A.3, discuss or consider with its legal counsel engagement of a Consultant to assist with the Post-2017 Hoover Power Allocation Process and matters outlined in Agenda Item K

#### **N. ADJOURNMENT**