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Senate Engrossed

State of Arizona  
Senate  
Forty-fifth Legislature  
Second Regular Session  
2002

# SENATE BILL 1101

AN ACT

AMENDING SECTIONS 40-462 AND 40-464, ARIZONA REVISED STATUTES; RELATING TO THE RESIDENTIAL UTILITY CONSUMER OFFICE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 40-462, Arizona Revised Statutes, is amended to  
3 read:

4 40-462. Residential utility consumer office; director

5 A. A residential utility consumer office is established to represent  
6 the interests of residential utility consumers in regulatory proceedings  
7 involving public service corporations before the corporation commission,  
8 RELATED FEDERAL REGULATORY AGENCIES AND COMMISSIONS THAT ESTABLISH RATES AND  
9 FEDERAL COURTS IF THOSE PROCEEDINGS INVOLVE A RATE, TARIFF, CHARGE OR TERM OF  
10 SERVICE AND THE INTERESTS OF RESIDENTIAL CONSUMERS OF THE PRODUCTS OR  
11 SERVICES FURNISHED BY PUBLIC SERVICE CORPORATIONS UNDER THE JURISDICTION OF  
12 THE CORPORATION COMMISSION.

13 B. The governor shall appoint the director of the office pursuant to  
14 section 38-211. The director serves at the pleasure of the governor. The  
15 director must possess management and administrative skills, as well as  
16 knowledge and experience relating to the regulation of utilities.

17 Sec. 2. Section 40-464, Arizona Revised Statutes, is amended to read:

18 40-464. Powers and duties

19 A. The director may:

20 1. Research, study and analyze residential utility consumer interests  
21 AND PRESENT THIS INFORMATION AS PART OF THE CONSUMER OUTREACH AND EDUCATION  
22 PROGRAM.

23 2. Prepare and present briefs, arguments, proposed rates or orders and  
24 intervene or appear on behalf of residential utility consumers before hearing  
25 officers and the corporation commission as a party in interest and also  
26 participate as a party in interest pursuant to sections 40-254 and 40-254.01  
27 in proceedings relating to rate making or rate design and involving public  
28 service corporations, except that the director shall not participate in any  
29 proceedings pursuant to this paragraph involving a member-owned nonprofit  
30 cooperative corporation.

31 3. IN CONSULTATION WITH THE GOVERNOR, REPRESENT AND APPEAL FOR THIS  
32 STATE'S RESIDENTIAL CONSUMERS AT RATE MAKING RELATED PROCEEDINGS BEFORE  
33 RELATED FEDERAL REGULATORY AGENCIES AND COMMISSIONS THAT ESTABLISH RATES AND  
34 FEDERAL COURTS IF THOSE PROCEEDINGS INVOLVE A RATE, TARIFF, CHARGE OR TERM OF  
35 SERVICE AND THE INTERESTS OF RESIDENTIAL CONSUMERS OF THE PRODUCTS OF OR  
36 SERVICES FURNISHED BY PUBLIC UTILITIES UNDER THE JURISDICTION OF THE  
37 CORPORATION COMMISSION, EXCEPT THAT THE DIRECTOR SHALL NOT PARTICIPATE IN ANY  
38 PROCEEDINGS PURSUANT TO THIS PARAGRAPH INVOLVING A MEMBER OWNED NONPROFIT  
39 COOPERATIVE CORPORATION.

40 ~~3-~~ 4. Make and execute contracts and other instruments as necessary  
41 to perform his duties.

42 ~~4-~~ 5. Hire employees as necessary to carry out this article and  
43 contract for special services as needed.

44 ~~5-~~ 6. Employ such attorneys as are required to represent the  
45 interests of residential utility consumers.

1           B. The director shall:

2           1. Adopt administrative rules necessary to carry out the purposes of  
3 this article.

4           2. Submit a report to the governor, speaker of the house of  
5 representatives and president of the senate by November 1 each year  
6 describing the activities and accomplishments of the office.

7           3. **ADOPT A CONSUMER OUTREACH AND EDUCATION PROGRAM.**

8           C. All contacts by residential utility consumers with regard to  
9 quality or quantity of service provided by a public service corporation shall  
10 be recorded by the office for the purpose of determining general concerns of  
11 consumers. The office may advise the consumer of other agencies that may be  
12 of further assistance and shall refer the consumer to the corporation  
13 commission utilities division consumer services section established in  
14 section 40-110.