IN THE MATTER OF AMENDMENTS TO THE ARKANSAS PUBLIC SERVICE COMMISSION'S RULES CONCERNING METER AGGREGATION AND COMBINED BILLING FOR NET-METERING CUSTOMERS

DOCKET NO. 12-060-R ORDER NO. 3

ORDER

On August 8, 2012, by Order No. 1 in this docket, the Arkansas Public Service Commission ("Commission") established a schedule for the consideration of the issue of meter aggregation for net metering customers, which included a public hearing set for October 31, 2012. Order No. 1 directed parties to file legal briefs addressing the issue of whether the Commission has the legal authority to adopt rules allowing meter aggregation for net metering customers, and invited parties to comment on a "strawman" proposal for such rules. On October 17, 2012, Staff submitted a Motion for Ruling on the Legal Issue and to Cancel the Hearing ("Motion") and the Electric Cooperatives submitted a Response to Staff's Motion for Ruling on the Legal Issue and to Cancel the Hearing ("Response").

Staff notes that the issue of the Commission's authority to adopt meter-aggregation rules to promote net metering has been fully briefed by the parties. Motion at ¶ 4. Staff indicates that, if the Commission determines that it does not have such authority, then a hearing to discuss specific rule provisions is unnecessary. Id. at 6. On the other hand, Staff indicates that, if the Commission determines that does have this legal authority, then an additional public hearing would be needed to consider a promulgated rule. Id. at 7. Staff thus requests that the Commission cancel the October