Katie Hobbs
Governor

Elizabeth Alvarado-Thorson
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

OFFICE OF THE DIRECTOR

Governor's Regulatory Review Council

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June 3, 2025

VIA EMAIL:
Underground Arizona, Inc.
ATTN: Daniel Dempsey
PO Box 41745
Tucson, AZ 85717
daniel@undergroundarizona.org

VIA EMAIL:
Robert Ridenour, Senior Associate General Counsel
Arizona Corporation Commission
Office of General Counsel
1200 W. Washington Street
Phoenix, AZ 85007
rridenour@azcc.gov

RE: Decision on A.R.S. § 41-1033(E) and (G) Appeal/Petition Related to Corporation Commission Substantive Policy Statement 3 of Decision 79140

Dear Mr. Dempsey and Mr. Ridenour:

In reference to Mr. Dempsey's A.R.S. § 41-1033(E) and (G) Appeal/Petition related to the Corporation Commission's (Commission) substantive policy statement 3 of Decision 79140, please find the Governor's Regulatory Review Council's (Council) letter of decision pursuant to R1-6-402(E).

At the Council's June 3, 2025 Council Meeting, the Council determined that the Commission's substantive policy statement 3 of Decision 79140 constitutes a rule pursuant to A.R.S. § 41-1033(H)(1)(a). As such, pursuant to A.R.S. § 41-1033(K), the Council declared the substantive policy statement void.

If you have any questions or concerns, please contact Council staff by phone at (602) 542-2058 or by email at grrc@azdoa.gov.

Sincerely,

Frank Thorwald (Jun 3, 2025 16:05 PDT)

Frank Thorwald
Vice-Chair, Governor's Regulatory Review Council

CC: Council Member Jessica Klein, Chair (via email)
Council Member John Sundt (via email)
Council Member Jeffrey Wilmer (via email)
Council Member Jenna Bentley (via email)
Council Member Rana Lashgari (via email)
Assistant Attorney General Lynnette Evans (via email)