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ARKANSAS PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF THE CONTINUATION,)
EXPANSION, AND ENHANCEMENT OF)
PUBLIC UTILITY ENERGY EFFICIENCY)
PROGRAMS IN ARKANSAS)

DOCKET NO. 13-002-U
ORDER NO. 3

ORDER

On January February 15, 2013, Wal-Mart Stores Arkansas, LLC, and Sam's West, Inc. (collectively "Walmart") submitted a Motion to Intervene in this docket ("Motion") pursuant to Rule 3.04 of the Arkansas Public Service Commission's ("Commission's") Rules of Practice and Procedure ("Rule"). The Motion indicates that Walmart is a large commercial customer with interests in this docket that differ significantly from those of other groups represented in this proceeding, and that its interests cannot be adequately represented by other participants in these proceedings. Walmart states that while it is currently operating under Self-Direct Certificates for Energy Efficiency ("EE") Program year 2013, the issues being address in this docket extend beyond the 2013 time frame and may impact Walmart's business and operations in Arkansas. Therefore, Walmart asserts that it has a direct interest in the outcome of these proceedings. Further, Walmart asserts that as a large commercial customer, its unique interests differ significantly from those of other customer groups represented in these proceedings and those interests cannot be adequately represented by any existing or future participant. Walmart adds that because it operates in many different states, it has substantial and unique insights gained in various states and markets regarding issues in this proceeding. Finally, Walmart notes that Rule 3.04(a)(1) allows intervention by "[a]ny person having an interest which may be directly affected by the Commission's action and which

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interest is not adequately represented by other parties..." and that Walmart satisfies these criteria.

On February 28, 2013, the General Staff ("Staff") of the Commission submitted a Response stating that they have no objection to Walmart's intervention.

On the basis of Walmart's unopposed statement that it has interests in this docket that cannot be adequately represented otherwise and upon its showing of interests not adequately represented by other parties, the Commission finds that Walmart has satisfied the criteria for intervention set forth in Rule 3.04, and the Motion is granted.

BY ORDER OF THE COMMISSION,

This 1st day of March, 2013.

I hereby certify that this order, issued by the Arkansas Public Service Commission, has been served on all parties of record on this date by the following method:

U.S. mail with postage prepaid using the mailing address of each party as indicated in the official docket file, or
 Electronic mail using the email address of each party as indicated in the official docket file.


Colette D. Honorable, Chairman


Olan W. Reeves, Commissioner


Elana C. Wills, Commissioner


Kristi Rhude, Secretary of the Commission