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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION DOCUMENT CONTROL

DEC 30 2003

MARC SPITZER, Chairman
WILLIAM A. MUNDELL, Commissioner
JEFF HATCH-MILLER, Commissioner
MIKE GLEASON, Commissioner
KRISTIN K. MAYES, Commissioner

DOCKETED BY *AP*

IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR A HEARING TO DETERMINE THE FAIR VALUE OF THE UTILITY PROPERTY OF THE COMPANY FOR RATEMAKING PURPOSES, TO FIX A JUST AND REASONABLE RATE OF RETURN THEREON, TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN, AND FOR APPROVAL OF PURCHASED POWER CONTRACT.

DOCKET NO. E-01345A-03-0437

RESPONSE OF ARIZONANS FOR ELECTRIC CHOICE AND COMPETITION IN SUPPORT OF THE MOTION OF ARIZONA COMPETITIVE POWER ALLIANCE TO REVISE THE PROCEDURAL SCHEDULE OR, IN THE ALTERNATIVE, TO BIFURCATE RATE CASE TO EXCLUDE ISSUES REGARDING PWEC ASSETS

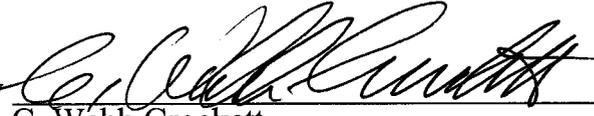
Arizonans for Electric Choice and Competition, Phelps Dodge Corporation and Phelps Dodge Mining Company (hereafter collectively referred to as "AECC"), hereby files its response in support of the Motion of Arizona Competitive Power Alliance ("AZCPA") to Revise the Procedural Schedule, or, in the Alternative, to Bifurcate Rate Case To Exclude Issues Regarding PWEC Assets, and, in particular, concurs with AZCPA's position that Arizona Public Service Company ("APS") should be required to expand the scale of its Request for Proposal ("RFP") to 2200 MW of generating capacity and to extend the rate case schedule to permit the results of the expanded RFP to be considered in the rate case.

Issues raised by AZCPA in its Motion are issues that are also included in the APS Rate Case and that could very well be resolved by the expanded RFP. For these reasons,

1 AECC urges the Arizona Corporation Commission to grant AZCPA's Motion.

2 RESPECTFULLY SUBMITTED this 30th day of December, 2003.

3 FENNEMORE CRAIG

4
5 By 
6 C. Webb Crockett
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8 Competition, Phelps Dodge Corporation, and
9 Phelps Dodge Mining Company

10 The ORIGINAL and 13 copies of
11 the foregoing were filed this 30th
12 day of December, 2003, with:

13 Docket Control
14 Arizona Corporation Commission
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16 Phoenix, Arizona 85007

17 COPY of the foregoing
18 hand-delivered this 30th day
19 of December, 2003, to:

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