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September 22, 2003

Arizona Corporation Commission

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SEP 23 2003

Arizona Corporation Commission  
Attn: Docket Filing Window  
1200 Washington Street  
Phoenix, AZ 85007

DOCKETED BY	
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**Re: First Set of Data Requests of the Kroger Co**  
**Docket No. E-~~03~~45A-03-0437**  
013

Dear Sir or Madam:

Please find enclosed the original and thirteen (13) copies of the First Set of Data Requests of the Kroger Co. to Arizona Public Service Company filed in the above-referenced matter.

Please place this document of file.

Very Truly Yours,



Michael L. Kurtz, Esq.  
**BOEHM, KURTZ & LOWRY**

## CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by regular U.S. mail (unless otherwise noted), this 22<sup>nd</sup> day of September, 2003.

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Michael L. Kurtz, Esq.

**BEFORE THE  
ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION OF :  
ARIZONA PUBLIC SERVICE COMPANY FOR : DOCKET NO. E-01345A-03-0437  
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 :

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**FIRST SET OF DATA REQUESTS OF  
THE KROGER CO.  
TO ARIZONA PUBLIC SERVICE COMPANY**

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**September 22, 2003**

## DEFINITIONS

1. "Document" means the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, notices, confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence investigations, questionnaires, surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing, in whatever form, stored or contained in or on whatever medium, including computerized memory or magnetic media.
2. "Study" means any written, recorded, transcribed, taped, filmed, or graphic matter, however produced or reproduced, either formally or informally, a particular issue or situation, in whatever detail, whether or not the consideration of the issue or situation is in a preliminary stage, and whether or not the consideration was discontinued prior to completion.
3. "Person" means any natural person, corporation, professional corporation, partnership, association, joint venture, proprietorship, firm, or the other business enterprise or legal entity.
4. A request to identify a natural person means to state his or her full name and residence address, his or her present last known position and business affiliation at the time in question.
5. A request to identify a document means to state the date or dates, author or originator, subject matter, all addressees and recipients, type of document (e.g., letter, memorandum, telegram, chart, etc.), number of code number thereof or other means of identifying it, and its present location and custodian. If any such document was, but is no longer in the Company's possession or subject to its control, state what disposition was made of it.
6. A request to identify a person other than a natural person means to state its full name, the address of its principal office, and the type of entity.
7. "And" and "or" should be considered to be both conjunctive and disjunctive, unless specifically stated otherwise.
8. "Each" and "any" should be considered to be both singular and plural, unless specifically stated otherwise.
9. Words in the past tense should be considered to include the present, and words in the present tense include the past, unless specifically stated otherwise.
10. "You" or "your" means the person whose filed testimony is the subject of these interrogatories and, to the extent relevant and necessary to provide full and complete answers to any request, "you" or "your" may be deemed to include any person with information relevant to any interrogatory who is or was employed by or otherwise associated with the witness or who assisted, in any way, in the preparation of the witness' testimony.
11. Arizona Public Service Company means any of their officers, directors, employees, or agents who may have knowledge of the particular matter addressed.

## INSTRUCTIONS

1. If any matter is evidenced by, referenced to, reflected by, represented by, or recorded in any document, please identify and produce for discovery and inspection each such document.
2. These interrogatories are continuing in nature, and information which the responding party later becomes aware of, or has access to, and which is responsive to any request is to be made available to the Kroger Co., studies, documents, or other subject matter not yet completed that will be relied upon during the course of this case should be so identified and provided as soon as they are completed. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as it first becomes available to the Respondent after the answers hereto are served.
3. Unless otherwise expressly provided, each interrogatory should be construed independently and not with reference to any other interrogatory herein for purpose of limitation.
4. The answers provided should first restate the question asked and also identify the person(s) supplying the information.
5. Please answer each designated part of each information request separately. If you do not have complete information with respect to any interrogatory, so state and give as much information as you do have with respect to the matter inquired about, and identify each person whom you believe may have additional information with respect thereto.
6. In the case of multiple witnesses, each interrogatory should be considered to apply to each witness who will testify to the information requested. Where copies of testimony, transcripts or depositions are requested, each witness should respond individually to the information request.
7. The interrogatories are to be answered under oath by the witness(es) responsible for the answer.

**FIRST SET OF DATA REQUESTS OF  
THE KROGER CO. TO  
ARIZONA PUBLIC SERVICE COMPANY  
DOCKET NO. E-01345A-03-0437**

**Kroger Co. Requests No. 1**

Please provide detailed workpapers, including all supporting schedules, used to develop the proposed rate E-32. Provide a proof of revenue analysis, showing all billing determinants for the test year at present and proposed rates. Also provide detailed workpapers showing the development of the voltage differentiated demand charges for customers taking service at secondary, primary or transmission voltage.

**Kroger Co. Requests No. 2**

With regard to the proposed voltage differentiated demand charges for rate schedule E-32, if not provided in response to the previous question, please provide all cost support for the proposed rates based on the Company's allocated class cost of service study (schedules G-1 through G-7).

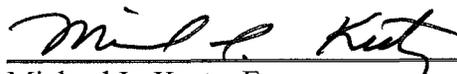
**Kroger Co. Requests No. 3**

With regard to the cost of service study presented in schedules G-1 through G-7, please provide an electronic version of the study, including all supporting schedules, on a CD or diskette, with all formulas intact.

**Kroger Co. Requests No. 4**

Please provide all supporting workpapers, schedules, etc. used to develop Attachment AP-3, Schedule GE2, Page 1 of 1, to Mr. Propper's testimony. Please also include in this response an electronic version (or disk or CD) of Schedule GE2 (with formulas intact) and electronic versions (with formulas intact) or all supporting schedules and analyses.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

**BOEHM, KURTZ & LOWRY**

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**ATTORNEYS FOR THE  
KROGER CO.**