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May 14, 2004

Commissioner William Mundell
Commissioner Jeff Hatch-Miller
Commissioner Mike Gleason
Commissioner Kris Mayes
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

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2004 MAY 14 A 10: 32
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RE: Unisource/APS Contract Renegotiations
Docket Nos. E-01032C-00-0751
G-01032A-02-0598
E-01933A-02-0914
E-01032C-02-0914
Dear Colleagues: G-01032A-02-0914
G-01032E-03-0515

An issue has arisen regarding public comment on the subject of the contract renegotiations between Unisource and Arizona Public Service. Although the topic is complex, I believe shining the light of day, and therefore public comment, is appropriate. I would suggest a presentation on technical issues by Staff precede public comment on this subject.

I believe that any public comment on the contract renegotiations be separate and distinct from public comment on the Unisource Reorganization Application, Docket E-04230A-03-0933. It is not appropriate, in my view, for the two separate matters to be commingled in joint public comment. Separate and distinct morning/afternoon/evening public comment sessions would preserve the due process rights of the parties to the two distinct proceedings.

Very truly yours,

Marc Spitzer
Chairman

Arizona Corporation Commission
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