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ARIZONA CORPORATION COMMISSION

Executive Secretary

Direct Phone No.: 602-542-3933  
Fax No.: 602-542-5560  
e-mail: mspitzer@cc.state.az.us

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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 10:33  
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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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