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**ARIZONA CORPORATION COMMISSION**

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July 26, 2004

The Honorable Trent Franks  
United States Congress  
1237 Longworth House Office Building  
Washington, D.C. 20515

G-01032E-03-0515  
E-01032C-00-0751  
G-01032A-02-0598  
E-01933A-02-0914  
E-01032C-02-0914  
G-01032A-02-0914

RE: Guardian Industries

Dear Congressman Franks:

This is to advise you regarding the matter of Guardian Industries. I appreciate your letter about Guardian, which has actually been "on my radar screen" for some time.

In the past month, Guardian's management has communicated with all of the Commissioners' offices. There have also been discussions by Commissioners with Unisource Energy Services Corporation and Arizona Public Service (APS).

As you point out, the Commission's deliberations are somewhat unusual among political bodies as they are judicial in nature. It is conceivable the Commission may ultimately be called upon to adjudicate this case. Since the five Commissioners would in such circumstances review potential findings of fact and conclusions of law, I do not believe it is appropriate for me to comment further on this case.

You can be assured, however, that the interests of all ratepayers of Unisource Energy Services are important to the Commission, and indeed our Constitutional mandate is to ensure those interests are zealously protected.

Please feel free to communicate with the Commission at any time.

Very truly yours,

Marc Spitzer  
Chairman

Arizona Corporation Commission

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