

ORIGINAL



0000013149

RECEIVED

28

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission
DOCKETED

NOV 12 2004

DOCKETED BY *CM*

AVIS READ; individually, and on Behalf of All
Others Similarly Situated,

Complainants,

v.

ARIZONA PUBLIC SERVICE COMPANY,

Respondent.

DOCKET NO. E-01345A-04-0657

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY FOR A
DECLARATORY ORDER REGARDING BILL
ESTIMATION PROCEDURES.

DOCKET NO. E-01345A-03-0775

**COMPLAINANT'S RESPONSE TO
ARIZONA PUBLIC SERVICE
COMPANY'S MOTION TO AMEND
PROCEDURAL ORDER**

On November 2, 2004, Administrative Law Judge Lyn Farmer issued a Procedural Order consolidating the Complaint filed by Avis Read ("Complaint") against Arizona Public Service Company ("APS") and APS's Application for a Declaratory Order Regarding Bill Estimation Procedures ("Application") and setting the schedule for adjudicating both.

On November 4, 2004, APS filed its Motion to Amend the Procedural Order seeking to extend the time for filing direct testimony and exhibits by the various parties in the above-referenced actions.

Complainant Avis Reed takes no position on APS's Motion to Amend the Procedural Order.

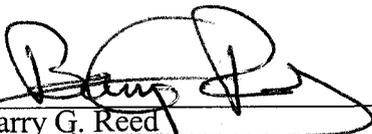
ORIGINAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully submitted,

DATE: November 12, 2004



Barry G. Reed
ZIMMERMAN REED P.L.L.P.
14646 N. Kierland Boulevard, Suite 145
Scottsdale, AZ 85254
(480) 348-6400
(480) 348-6415 Facsimile

David A. Rubin
LAW OFFICES OF DAVID A. RUBIN
3550 N. Central Avenue, Suite 1201
Phoenix, AZ 85012-2111
(602) 235-9525
(602) 734-2345 Facsimile

Jeffrey M. Proper
LAW OFFICES OF JEFFREY M. PROPER
3550 N. Central Avenue, Suite 1200
Phoenix, AZ 85012-2111
(602) 235-9555
(602) 235-9223 Facsimile

**Attorneys for Complainant
AVIS READ and the Class**

1 The ORIGINAL and FIFTEEN (15) copies
2 of the foregoing were filed by hand delivery
3 this 12th day of November 2004, with:

3 Docket Control
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington
6 Phoenix, AZ 85007-2996

6 Copies of the foregoing were served by mailed
7 this 12th day of November 2004, to:

7 William J. Maledon
8 Debra A. Hill
9 OSBORN MALEDON
10 2929 N. Central Avenue, Suite 2100
11 Phoenix, Arizona 85012
12 *Attorneys for Respondent Arizona Public Service Company*

11 Thomas L. Mumaw
12 PINNACLE WEST CAPITAL CORP.
13 Law Department
14 P.O. Box 53999 MS 8695
15 Phoenix, AZ 85004-3999
16 *Attorney for Respondent Arizona Public Service Company*

14 Janet F. Wagner
15 Jason D. Gellman
16 Diane Targovnik
17 Attorneys, Legal Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, AZ 85007
21 *Attorneys for Arizona Corporation Commission Staff*

19 David A. Rubin
20 LAW OFFICES OF DAVID A. RUBIN
21 3550 N. Central Avenue, Suite 1201
22 Phoenix, AZ 85012-2111
23 *Attorneys for Complainant Avis Read and the Class*

22 Jeffrey M. Proper
23 LAW OFFICES OF JEFFREY M. PROPER
24 3550 N. Central Avenue, Suite 1200
25 Phoenix, AZ 85012-2111
26 *Attorneys for Complainant Avis Read and the Class*

25 
26 Stacy A. Betha