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Marc Spitzer  
Chairman  
William A. Mundell  
Commissioner  
Jeff Hatch-Miller  
Commissioner  
Mike Gleason  
Commissioner  
Kristin K. Mayes  
Commissioner

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2004 SEP 29 P 3: 50

AZ CORP COMMISSION  
DOCUMENT CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF )  
ARIZONA PUBLIC SERVICE COMPANY FOR )  
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 )

DOCKET NO. E-01345A-03-0437

STATEMENT OF POSITION ON  
PROPOSED SETTLEMENT  
AGREEMENT

As directed by the August 20, 2004 Procedural Order in this matter, Arizona Water Company, an Arizona corporation ("AWC"), is providing its position concerning the proposed settlement agreement in this matter, as docketed by the Staff on August 18, 2004.

AWC's position is that it neither supports, nor opposes the proposed settlement agreement.

RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of September 2004.

Arizona Corporation Commission

DOCKETED

SEP 29 2004

DOCKETED BY

ARIZONA WATER COMPANY

By:

Robert W. Geake  
Vice President and General Counsel  
ARIZONA WATER COMPANY  
Post Office Box 29006  
Phoenix, Arizona 85038-9006

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1 Original and thirteen (13) copies of the  
2 foregoing filed this 29<sup>th</sup> day of  
September 2004 with:

3 Docket Control Division  
4 Arizona Corporation Commission  
1200 West Washington Street  
5 Phoenix, Arizona 85007

6 A copy of the foregoing was mailed this  
29<sup>th</sup> day of September 2004 to:

7 Lyn Farmer, Chief Administrative Law Judge  
8 Hearing Division  
Arizona Corporation Commission  
1200 West Washington Street  
9 Phoenix, Arizona 85007

10 Christopher Kempley, Chief Counsel  
11 Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
12 Phoenix, Arizona 85007

13 Ernest Johnson, Director  
14 Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
15 Phoenix, Arizona 85007

16 All other parties of record, per August 20, 2004 Procedural Order

17 By: *Robert W. Meade*  
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