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May 1, 2002

Nancy Cole, Supervisor
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1200 W. Washington
Division: Hearing
Phoenix, AZ 85007

E-00000A-02-0051
E-01345A-01-0822
E-00000A-01-0630
E-01933A-02-0069
E-01933A-98-0471

Re: Docket No. E-00000A-02-0051
In the matter of the Generic Proceedings Concerning Electric Restructuring

Dear Ms. Cole:

Enclosed for filing in the above-captioned proceeding are the original and fourteen (14) copies of the Sempra Energy Resources' Response to Tucson Electric Power Company's Position Statement. Also enclosed are two additional copies to be conformed and returned to our office in the self-addressed, stamped envelope provided for your convenience.

Please let me know if you have any questions, and thank you for your assistance.

Sincerely,

Lawrence V. Robertson, Jr.

LVR:cl
enclosures

Arizona Corporation Commission
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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

IN THE MATTER OF THE GENERIC) Docket No. E-00000A-02-0051
PROCEEDINGS CONCERNING ELECTRIC)
RESTRUCTURING) **RESPONSE TO TUCSON**
) **ELECTRIC POWER COMPANY'S**
) **POSITION STATEMENT**

Sempra Energy Resources ("Sempra") hereby responds to the April 30, 2002 Position Statement filed by Tucson Electric Power Company ("TEP") in the above-captioned proceeding.

There are three aspects of the Position Statement which Sempra desires to address.

First, Sempra believes that the Commission should issue an order in Docket No. E-01933A-02-0069 formally staying the conduct of further proceedings in connection with TEP's Request for Variance pending the completion of any proceedings in the instant docket in furtherance of the Commission's April 25, 2002 decision in Docket Nos. E-00000A-02-0051 and E-01345A-01-0822.

Second, Sempra agrees with TEP that any stay issued in Docket No. E-01933A-02-0069 should

1 apply to all procedural activities and dates, including the current May 7, 2002 date for filing
2 Intervenor testimony. Finally, in the event the Commission has not rendered a final decision on the
3 transfer of generation assets and market power issues by August 1, 2002, the questions of whether
4 and how it should resume consideration of TEP's Request for Variance can be considered at that
5 time.
6

7 DATED: May 1, 2002.

8 Respectfully submitted,

9 

10 Lawrence V. Robertson, Jr.
11 Attorneys for Sempra Energy Resources
12

13 Original and 14 copies mailed this
14 1st day of May, 2002, to:

15 Docket Control
16 Arizona Corporation Commission
17 1200 W. Washington
18 Phoenix, AZ 85007

19 Copies Faxed this 1st day of May,
20 2002, to:

21 Lyn A. Farmer, Esq.
22 Chief Administrative Law Judge
23 Hearing Division
24 ARIZONA CORPORATION COMMISSION
25 1200 West Washington Street
26 Phoenix, Arizona 85007

27 Christopher Kempley, Esq.
28 Chief Counsel, Legal Division
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See attached Service List

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