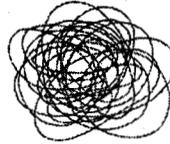




0000036146



RECEIVED

Arizona Corporation Commission  
**DOCKETED**

AES NewEnergy

2002 JUL -2 A 10: 17

JUL -2 2002

June 28, 2002

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY	<i>CAH</i>
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Chairman William A. Mundell  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

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

Re: ACC Docket No. E-00000A-02-0051 Generic Proceedings for Electric Restructuring

Dear Chairman Mundell:

In response to your letter of May 14, 2002, attached are the responses filed by AES companies to Data Requests of May 8, 2002, and May 21, 2002, in FERC Docket No. PA02-2-000. AES companies filing responses were AES NewEnergy, Inc., AES Placerita, Inc., Delano Energy Company, Inc., Mountainview Power Company, and Riverside Canal Power Company.

Sincerely,

*Aaron Thomas*  
*sm*

Aaron Thomas  
Vice President  
AES NewEnergy, Inc.

Original and 18 copies filed  
June 28, 2002, with:  
Arizona Corporation Commission  
400 West Congress  
Tucson, AZ 85701-1347

06/26/2002 14:44 FAX 202 887 0783

MORRISON &amp; FOERSTER

**MORRISON & FOERSTER LLP**SAN FRANCISCO  
LOS ANGELES  
DENVER  
PALO ALTO  
WALNUT CREEK  
SACRAMENTO  
CENTURY CITY  
ORANGE COUNTY  
SAN DIEGO

ATTORNEYS AT LAW

2000 PENNSYLVANIA AVENUE, NW  
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PATENT GROUP FAX (202) 263-8396NEW YORK  
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NORTHERN VIRGINIA  
LONDON  
BRUSSELS  
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HONG KONG  
SINGAPORE  
TOKYO

May 22, 2002

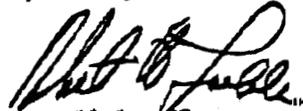
Writer's Direct Contact  
(202) 887-1506  
R.Loeffler@mofa.com*By Messenger*Donald J. Gelinas  
Associate Director  
Office of Markets, Tariffs and Rates  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426*Re: Fact-Finding Investigation of Potential Manipulation of Electric and  
Natural Gas Prices, Docket No. PA02-2-000*

Dear Mr. Gelinas:

Enclosed please find the answers in the prescribed form of AES NewEnergy, Inc., AES Placerita, Inc., Delano Energy Company, Inc., Mountainview Power Company, and Riverside Canal Power Company (the "AES Companies") to the Data Requests of May 8, 2002, in the referenced docket.

Any questions with respect to this matter should be directed to the undersigned

Respectfully submitted,

Robert H. Loeffler  
Attorney for  
The AES Companies

Enclosures

Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

**AFFIDAVIT OF CLEM PALEVICH**

I, Clem Palevich, being duly sworn, hereby state under oath as follows:

1. I am the President of AES NewEnergy, Inc. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of AES NewEnergy, Inc. and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

2. AES NewEnergy, Inc. responds to the specific requests for admissions contained in the May 8, 2002 memorandum from Donald J. Gelinas (attached hereto), as follows:

- 3. Request No. A.1. Denied.
- 4. Request No. B.1. Denied.
- 5. Request No. C.1. Denied.
- 6. Request No. D.1. Denied.
- 7. Request No. E.1. Denied.
- 8. Request No. F.1. Denied.
- 9. Request No. G.1. Denied.
- 10. Request No. H.1. Denied.
- 11. Request No. I.1. Denied.
- 12. Request No. J.1. Denied.
- 13. Request No. K.1. Denied.

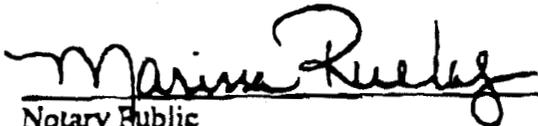
14. AES NewEnergy, Inc. has no documents in its possession, custody or control that are responsive to Requests for Production of Documents Nos. II.A. and II.B

15. AES NewEnergy, Inc. responds as follows to Requests for Other Information No. III.A.: No.

16. AES NewEnergy, Inc. responds as follows to Requests for Other Information No. III.B.: No.

  
Clem Palevich

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 20<sup>th</sup> DAY OF MAY, 2002.

  
Notary Public

(Please see attached)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

On 5/20/2002 before me, Marissa Ruelas, Notary Public  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared \_\_\_\_\_  
NAME OF SIGNER(S)

\_\_\_\_\_ personally known to me OR \_\_\_\_\_ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Marissa Ruelas  
SIGNATURE OF NOTARY



**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER	DESCRIPTION OF ATTACHED DOCUMENT
<input type="checkbox"/> INDIVIDUAL	_____ TITLE OR TYPE OF DOCUMENT
<input type="checkbox"/> CORPORATE OFFICER	_____ NUMBER OF PAGES
_____ PARTNER(S) <input type="checkbox"/> LIMITED <input type="checkbox"/> GENERAL	_____ DATE OF DOCUMENT
<input type="checkbox"/> ATTORNEY-IN-FACT	
<input type="checkbox"/> TRUSTEE(S)	
<input type="checkbox"/> GUARDIAN/CONSERVATOR	
<input type="checkbox"/> OTHER: _____	
<b>SIGNER IS REPRESENTING:</b> NAME OF PERSON(S) OR ENTITY(IES) _____ _____	SIGNER(S) OTHER THAN NAMED ABOVE

Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

### AFFIDAVIT OF JENNIFER LEHMANN

I, Jennifer Lehmann, being duly sworn, hereby state under oath as follows:

1. I am the Vice President of AES Placerita, Inc. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of AES Placerita, Inc. and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

2. AES Placerita, Inc. responds to the specific requests for admissions contained in the May 8, 2002 memorandum from Donald J. Gelinas (attached hereto), as follows:

- 3. Request No. A.1. Denied.
- 4. Request No. B.1. Denied.
- 5. Request No. C.1. Denied.
- 6. Request No. D.1. Denied.
- 7. Request No. E.1. Denied.
- 8. Request No. F.1. Denied.
- 9. Request No. G.1. Denied.
- 10. Request No. H.1. Denied.
- 11. Request No. I.1. Denied.
- 12. Request No. J.1. Denied.
- 13. Request No. K.1. Denied.

Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

### AFFIDAVIT OF GEORGE HALL

I, George Hall, being duly sworn, hereby state under oath as follows:

1. I am the Plant Manager of Mountainview Power Company. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of Mountainview Power Company and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

2. Mountainview Power Company responds to the specific requests for admissions contained in the May 8, 2002 memorandum from Donald J. Gelinas (attached hereto), as follows:

- 3. Request No. A.1. Denied.
- 4. Request No. B.1. Denied.
- 5. Request No. C.1. Denied.
- 6. Request No. D.1. Denied.
- 7. Request No. E.1. Denied.
- 8. Request No. F.1. Denied.
- 9. Request No. G.1. Denied.
- 10. Request No. H.1. Denied.
- 11. Request No. I.1. Denied.
- 12. Request No. J.1. Denied.

13. Request No. K.1. Denied.

14. Mountainview Power Company has no documents in its possession,

custody or control that are responsive to Requests for Production of Documents Nos. II.A. and II.B.

15. Mountainview Power Company responds as follows to Requests for Other Information No. III.A.:No.

16. Mountainview Power Company responds as follows to Requests for Other Information No. III.B.:No.

  
George Han

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 20<sup>th</sup> DAY OF MAY, 2002.

  
Nancy L. Aguinaldo  
Notary Public



Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

### AFFIDAVIT OF GEORGE HALL

I, George Hall, being duly sworn, hereby state under oath as follows:

1. I am the Plant Manager of Riverside Canal Power Company. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of Riverside Canal Power Company and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

2. Riverside Canal Power Company responds to the specific requests for admissions contained in the May 8, 2002 memorandum from Donald J. Gelinas (attached hereto), as follows:

- 3. Request No. A.1. Denied.
- 4. Request No. B.1. Denied.
- 5. Request No. C.1. Denied.
- 6. Request No. D.1. Denied.
- 7. Request No. E.1. Denied.
- 8. Request No. F.1. Denied.
- 9. Request No. G.1. Denied.
- 10. Request No. H.1. Denied.
- 11. Request No. I.1. Denied.
- 12. Request No. J.1. Denied.

13. Request No. K.I. Denied.

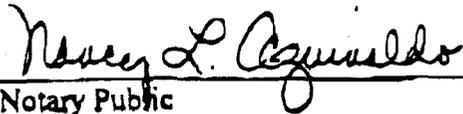
14. Riverside Canal Power Company has no documents in its possession, custody or control that are responsive to Requests for Production of Documents Nos. II.A. and II.B.

15. Riverside Canal Power Company responds as follows to Requests for Other Information No. III.A.: No.

16. Riverside Canal Power Company responds as follows to Requests for Other Information No. III.B.: No.

  
George Hall

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 20<sup>TH</sup> DAY OF MAY, 2002.

  
Nancy L. Aguinaldo  
Notary Public



Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

**AFFIDAVIT OF DOYLE HIBLER**

I, Doyle Hibler, being duly sworn, hereby state under oath as follows:

1. I am the Plant Manager of Delano Energy Company, Inc. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of Delano Energy Company, Inc. and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

2. Delano Energy Company, Inc. responds to the specific requests for admissions contained in the May 8, 2002 memorandum from Donald J. Gelinus (attached hereto), as follows:

- 3. Request No. A.1. Denied.
- 4. Request No. B.1. Denied.
- 5. Request No. C.1. Denied.
- 6. Request No. D.1. Denied.
- 7. Request No. E.1. Denied.
- 8. Request No. F.1. Denied.
- 9. Request No. G.1. Denied.
- 10. Request No. H.1. Denied.
- 11. Request No. I.1. Denied.
- 12. Request No. J.1. Denied.

13. Request No. K.1. Denied.

14. Delano Energy Company, Inc. has no documents in its possession, custody or control that are responsive to Requests for Production of Documents Nos. II.A. and II.B.

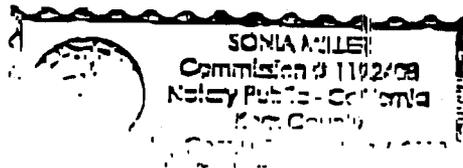
15. Delano Energy Company, Inc. responds as follows to Requests for Other Information No. III.A.: No.

16. Delano Energy Company, Inc. responds as follows to Requests for Other Information No. III.B.: No.

  
Doyle Hibler

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 20 DAY OF MAY, 2002.

  
Notary Public



# MORRISON & FOERSTER LLP

SAN FRANCISCO  
LOS ANGELES  
DENVER  
PALO ALTO  
WALNUT CREEK  
SACRAMENTO  
CENTURY CITY  
ORANGE COUNTY  
SAN DIEGO

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WASHINGTON, D.C.  
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LONDON  
BRUSSELS  
BEIJING  
HONG KONG  
SINGAPORE  
TOKYO

May 31, 2002

Writer's Direct Contact  
(202) 887-1506  
RLoeffler@mof.com

*By Messenger*

Donald J. Gelinas  
Associate Director  
Office of Markets, Tariffs and Rates  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

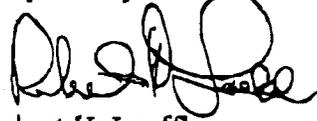
*Re: Fact-Finding Investigation of Potential Manipulation of Electric and  
Natural Gas Prices, Docket No. PA02-2-000*

Dear Mr. Gelinas:

Enclosed please find the answers in the prescribed form of AES NewEnergy, Inc., AES Placerita, Inc., Delano Energy Company, Inc., Mountainview Power Company, and Riverside Canal Power Company (the "AES Companies") to the Data Requests of May 21, 2002, in the referenced docket.

Any questions with respect to this matter should be directed to the undersigned.

Respectfully submitted.



Robert H. Loeffler  
Attorney for  
The AES Companies

Enclosures

Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

### AFFIDAVIT OF CLEM PALEVICH

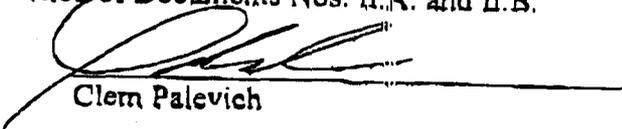
I, Clem Palevich, being duly sworn, hereby state under oath as follows:

1. I am the President of AES NewEnergy, Inc. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of AES NewEnergy, Inc. and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

2. AES NewEnergy, Inc. responds to the specific requests for admissions contained in the May 21, 2002 memorandum from Donald J. Gelinis (attached hereto), as follows:

- 3. Request No. I.A. Denied.
- 4. Request No. I.B.1. Not applicable.
- 5. Request No. I.B.2. Not applicable.
- 6. Request No. I.B.3. Not applicable.
- 7. Request No. I.B.4. Not applicable.
- 8. Request No. I.B.5. Not applicable.
- 9. Request No. I.B.6. Not applicable.

10. AES NewEnergy, Inc. has no documents in its possession, custody or control that are responsive to Requests for Production of Documents Nos. II.A. and II.B.

  
Clem Palevich

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 30<sup>th</sup> DAY OF MAY, 2002.

  
Notary Public

(Please see attached)



Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

**AFFIDAVIT OF GEORGE HALL**

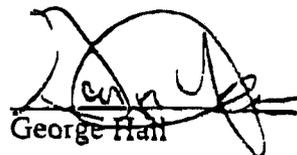
I, George Hall, being duly sworn, hereby state under oath as follows:

1. I am the Plant Manager of Mountainview Power Company. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of Mountainview Power Company and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

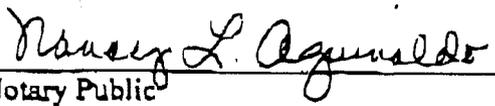
2. Mountainview Power Company responds to the specific requests for admissions contained in the May 21, 2002 memorandum from Donald J. Gellinas (attached hereto), as follows:

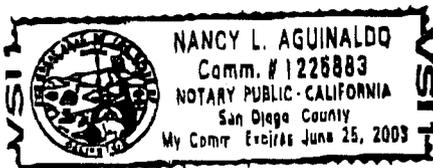
- 3. Request No. I.A. Denied.
- 4. Request No. I.B.1. Not applicable.
- 5. Request No. I.B.2. Not applicable.
- 6. Request No. I.B.3. Not applicable.
- 7. Request No. I.B.4. Not applicable.
- 8. Request No. I.B.5. Not applicable.
- 9. Request No. I.B.6. Not applicable.

10. Mountainview Power Company has no documents in its possession,  
custody or control that are responsive to Requests for Production of Documents Nos. II.A. and  
II.B.

  
George Han

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 27<sup>th</sup> DAY OF MAY, 2002.

  
Nancy L. Aguinaldo  
Notary Public



Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

AFFIDAVIT OF GEORGE HALL

I, George Hall, being duly sworn, hereby state under oath as follows:

1. I am the Plant Manager of Riverside Canal Power Company. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of Riverside Canal Power Company and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

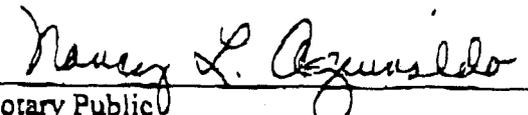
2. Riverside Canal Power Company responds to the specific requests for admissions contained in the May 21, 2002 memorandum from Donald J. Gelinas (attached hereto), as follows:

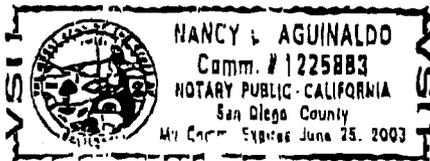
- |    |                    |                 |
|----|--------------------|-----------------|
| 3. | Request No. I.A.   | Denied.         |
| 4. | Request No. I.B.1. | Not applicable. |
| 5. | Request No. I.B.2. | Not applicable. |
| 6. | Request No. I.B.3. | Not applicable. |
| 7. | Request No. I.B.4. | Not applicable. |
| 8. | Request No. I.B.5. | Not applicable. |
| 9. | Request No. I.B.6. | Not applicable. |

10. Riverside Canal Power Company has no documents in its possession,  
custody or control that are responsive to Requests for Production of Documents Nos. II.A. and  
II.B.

  
George Hall

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 27<sup>th</sup> DAY OF MAY, 2002.

  
Notary Public



Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

### AFFIDAVIT OF DOYLE HIBLER

I, Doyle Hibler, being duly sworn, hereby state under oath as follows:

1. I am the Plant Manager of Delano Energy Company, Inc. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of Delano Energy Company, Inc. and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

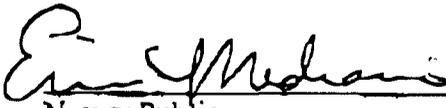
2. Delano Energy Company, Inc. responds to the specific requests for admissions contained in the May 21, 2002 memorandum from Donald J. Gelinias (attached hereto), as follows:

- |    |                    |                 |
|----|--------------------|-----------------|
| 3. | Request No. I.A.   | Denied.         |
| 4. | Request No. I.B.1. | Not applicable. |
| 5. | Request No. I.B.2. | Not applicable. |
| 6. | Request No. I.B.3. | Not applicable. |
| 7. | Request No. I.B.4. | Not applicable. |
| 8. | Request No. I.B.5. | Not applicable. |
| 9. | Request No. I.B.6. | Not applicable. |

10. Delano Energy Company, Inc. has no documents in its possession, custody or control that are responsive to Requests for Production of Documents Nos. I.A. and I.B.

  
Doyle Hibler

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 29 DAY OF MAY, 2002.

  
Notary Public



Fact-Finding Investigation of )  
Potential Manipulation of Electric )  
and Natural Gas Prices )

Docket No. PA02-2-000

**AFFIDAVIT OF JENNIFER LEHMANN**

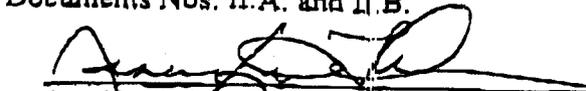
I, Jennifer Lehmann, being duly sworn, hereby state under oath as follows:

1. I am the Vice President of AES Placerita, Inc. I make this affidavit to the best of my knowledge, information, and belief formed after a thorough and diligent investigation under my supervision and control into the trading activities of AES Placerita, Inc. and its agents and employees, in the U.S. portion of the WSCC during the years 2000 and 2001.

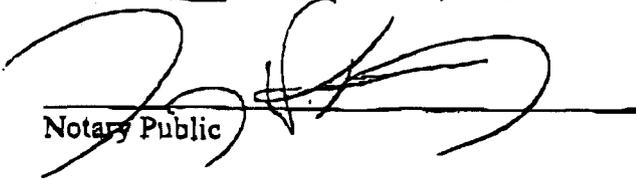
2. AES Placerita, Inc. responds to the specific requests for admissions contained in the May 21, 2002 memorandum from Donald J. Gelinas (attached hereto), as follows:

- 3. Request No. I.A. Denied.
- 4. Request No. I.B.1. Not applicable.
- 5. Request No. I.B.2. Not applicable.
- 6. Request No. I.B.3. Not applicable.
- 7. Request No. I.B.4. Not applicable.
- 8. Request No. I.B.5. Not applicable.
- 9. Request No. I.B.6. Not applicable.

10. AES Placerita, Inc. has no documents in its possession, custody or control that are responsive to Requests for Production of Documents Nos. II.A. and II.B.

  
Jennifer Lehmann

SUBSCRIBED AND SWORN TO BEFORE  
ME THIS 21 DAY OF MAY, 2002.

  
Notary Public

