

OPEN MEETING AGENDA ITEM



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



ARIZONA CORPORATION COMMISSION

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Om

January 18, 2006

Via email: Cynthia.crawford@APS.com

Mr. Jack Davis
President and CEO
Arizona Public Service
400 East Van Buren
Phoenix, AZ 85004

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Re: APS Plan of Administration and Surcharge Application
Docket Nos. E-01345A-03-0437 and E-01345A-05-0526

Dear Mr. Davis:

I have read Chairman Hatch-Miller's letter providing notice pursuant to A.R.S. § 40-252 of his intent to modify Decision No. 67744. He is correct in stating that an A.R.S. § 40-252 proceeding in this context is unusual. In light of the atypical situation in which we find ourselves, I believe that it is appropriate for APS to provide this Commission with some discovery prior to the January 24 Open Meeting.

I request that APS provide the Commission with any and all communication, including, but not limited to, e-mails, correspondence, and messages, with Standard and Poor's and Fitch concerning the December 2005 downgrade and any possible future downgrades. The time period contemplated by this request extends from March 24, 2005 to the present and is an ongoing request.

Please have said documents delivered to the Commission at least 24 hours prior to the start of the OM to consider this matter. At the OM, APS should be prepared to answer whether any other firms and analysts have indicated that they are considering APS for possible downgrade.

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Thank you for your attention in this matter.

Sincerely,



William A. Mundell, Commissioner
Arizona Corporation Commission

cc: Chairman Hatch-Miller
Commissioner Spitzer
Commissioner Gleason
Commissioner Mayes
Brian McNeil
Heather Murphy
Lyn Farmer
Ernest Johnson
Chris Kempley
Parties of Record