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BEFORE THE ARIZONA CORPORATION COMMISSION

2003 FEB -6 A 11: 36

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION  
DOCUMENT CONTROL

FEB 06 2003

- MARC SPITZER  
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COMMISSIONER
- WILLIAM A. MUNDELL  
COMMISSIONER
- JEFF HATCH-MILLER  
COMMISSIONER
- MIKE GLEASON  
COMMISSIONER

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IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY FOR  
AN ORDER OR ORDERS AUTHORIZING IT TO  
ISSUE, INCUR, OR ASSUME EVIDENCES OF  
LONG-TERM INDEBTEDNESS; TO ACQUIRE A  
FINANCIAL INTEREST OR INTERESTS IN AN  
AFFILIATE OR AFFILIATES; TO LEND MONEY  
TO AN AFFILIATE OR AFFILIATES; AND TO  
GUARANTEE THE OBLIGATIONS OF AN  
AFFILIATE OR AFFILIATES

DOCKET NO. E-01345A-02-0707

**RELIANT RESOURCES, INC.'S  
NOTICE OF FILING ITS  
REPLY POST-HEARING BRIEF**

Reliant Resources, Inc., by and through its attorneys, hereby files its  
Opening Post-Hearing Brief.

RESPECTFULLY submitted this 6th day of February, 2003.

MARTINEZ & CURTIS, P.C.

By   
 William P. Sullivan, Esq.  
 Michael A. Curtis, Esq.  
 2712 North Seventh Street  
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1 is to include findings and ordering paragraphs prohibiting such prejudice. Reliant  
2 Opening Brief, p. 3, ll. 10-12. A majority of the parties to this proceeding, including  
3 APS, agree and support this concept. See, APS Brief, p. 17, ll. 9-11; 22-24; Sempra-  
4 Southwestern Power Brief p. 13-14; Panda Brief p. 4, ll. 7-8; p. 29, ll. 20-25. The unified  
5 message is clear: Arizona's consumers are best served if the Commission's decision in  
6 this matter protects against adversely impacting the Track B solicitation process and any  
7 future ratebasing of PWEC generation assets by the inclusion of express findings and  
8 ordering paragraphs prohibiting such prejudice, whether intentional or unintentional.

9 **III. CONCLUSION**

10 Reliant's interest in this proceeding is to ensure this financing application does not  
11 subvert a fair, open and competitive wholesale procurement process or prejudice any  
12 application by APS to acquire or ratebase PWEC generation assets. The Opening Briefs  
13 demonstrate that most of the active parties to this proceeding support Reliant's request  
14 that the Commission's Decision expressly prohibit this financing application and any  
15 decision thereon from prejudicing or adversely affecting the implementation of the Track  
16 B competitive solicitation process or the Commission's consideration of whether to  
17 authorize APS to acquire PWEC generation assets or the rate base treatment thereof. .  
18

19 Respectfully submitted this 6th day of February, 2003.

20  
21 MARTINEZ & CURTIS, P.C.

22  
23 

24 William P. Sullivan, Esq.  
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1 Original and thirteen (13) copies of the foregoing filed this 6th day of February, 2003, with:

2 Docket Control  
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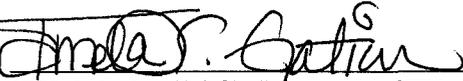
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