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ARIZONA CORPORATION COMMISSION

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July 27, 2006

Arizona Corporation Commission

DOCKETED

JUL 27 2006

Chairman Hatch-Miller  
Commissioner Gleason  
Commissioner Mayes  
Commissioner Wong

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Re: Johnson Utilities, L.L.C. Requests to Amend Decisions Nos. 68235, ~~68236~~, and ~~68237~~ Pursuant to A.R.S. § 40-252.  
Docket No. WS-02987A-05-0088; Docket No. ~~WS-02987A-04-0889~~;  
Docket No. ~~WS-02987A-04-0288~~

Dear Colleagues:

It is my opinion that this matter should be sent to a hearing before an Administrative Law Judge. I understand that both the Company and Staff are planning to call expert witnesses to testify. In this situation I feel that it would be more appropriate to hold an evidentiary hearing before an ALJ rather than to have the Commissioners conduct the evidentiary hearing at an Open Meeting just prior to voting on the issue.

It would benefit my decision making process to see briefs prior to the hearing from the Company and Staff addressing the differences between a performance bond and an irrevocable letter of credit, particularly in the event that either would need to be redeemed or called upon in order to avoid detrimental impact on customers.

Thank you for your consideration of this matter.

Sincerely,

William A. Mundell, Commissioner  
Arizona Corporation Commission

cc: Brian McNeil  
Lyn Farmer  
Ernest Johnson  
Chris Kempley  
Heather Murphy

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