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ARIZONA CORPORATION COMMISSION

30me

August 18, 2006

Via E-mail and United States Mail

Michael W. Patten  
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Arizona Corporation Commission

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AUG 18 2006

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Re: Docket No. T-03471A-05-0064

Dear Mike:

As you requested in your August 16, 2006 letter, attached are brief summaries of the nature of the testimony Staff anticipates eliciting from the potential additional witnesses if called in this matter. Please note that most of the Cox representatives listed and their roles in this matter were provided by Cox in response to Staff Data Request 1.2. The testimony that Staff would expect to elicit for each additional Cox witness would be the nature of their participation and their recollection of the negotiations with Shea.

As we discussed previously, I have also attached a list of redacted emails identified by Bates number that we have asked you to review for the purpose of making some or all of them public.

Please do not hesitate to contact me if you have any questions regarding this letter or desire to discuss this matter further.

Very truly yours,

Maureen A. Scott  
Senior Staff Counsel

MAS:klc

Attachments

Original and 13 copies of the foregoing  
filed this 18<sup>th</sup> day of August, 2006, with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Copies of the foregoing mailed this  
21<sup>st</sup> day of August, 2006, to:

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Communications



## TESTIMONY SUMMARY

The testimony Staff would anticipate eliciting from additional Cox witnesses would correspond to the role played by each employee or former employee listed below as well as their recollection of what occurred during the negotiations with Shea.

### COX EMPLOYEES

Paul Drake (no longer with Cox)

- Director of New Business Development
- Participated in and supervised negotiations by Cox with the Developer.
- Was supervised by Robert Carter, Vice President of Commercial Services, for a period of time, and by Sheila Crosby, Vice President of Sales.
- Direct Involvement, key participant

Sheila Crosby

- Vice President, Sales
- Participated in some preliminary meetings with the Developer
- Reported to J. Stephen Rizley, Vice President and Region Manager - Arizona, during the relevant time period and today.
- Direct involvement
- On numerous emails

Mary Kelley (no longer with Cox)

- Account Executive
- Responsible for participating in negotiations with the Developer relating to commercial services
- Direct involvement
- Participated in meetings with the Developer and drafting of some of the Vistancia agreements.

Dan Sjostrom (no longer with Cox)

- Business Manager, Commercial Business Services
- Provided financial analyses relating to the provision of services to the Vistancia.
- Development and participated in some of the meetings and other communications with the Developer.
- Reported to Franklin Vincent during the relevant period.
- Direct involvement, key participant

## Testimony Summary

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### Franklin Vincent

- Director of Financial Planning and Analysis
- Provided financial analysis oversight and participated in one or more meetings with the Developer.
- Was supervised by Tony Setchel, Controller, and by Howard Tigerman, Vice President of Business Operations.
- Direct involvement
- On numerous emails

### Jennifer Hightower

- Assistant General Counsel
- Was Ms. Trickey's supervisor and to a limited extent early on provided legal advice and counsel to the negotiating team in Phoenix.
- Direct involvement
- On numerous emails

### Mark Padilla

- Senior Counsel
- Provided legal advice and counsel regarding the commercial services aspects of the deal in conjunction with Ms. Trickey.
- Indirect involvement

### Howard Tigerman

- Vice President of Business Operations
- Gave final approval and signed the Vistancia agreements.
- Reports to J. Stephen Rizley.
- Direct Involvement
- On numerous emails

### Mark DiNunzio

- Manager. Regulatory Affairs-Arizona
- Provided assistance regarding area code issues and other regulatory matters
- Direct Involvement
- On numerous emails

### Patrick Dryer

- Manager, New Business Development
- Direct Involvement
- on emails; authored emails

## Testimony Summary

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### John Egan

- Vice President of Commercial Business Services
- Indirect involvement

### Robert Carter (no longer with Cox)

- Vice President of Commercial Business Services
- Direct involvement
- On numerous emails

### Tony Setchel

- Controller
- Direct Involvement
- On numerous emails

### Paulette Prentice

- IS&R Team Leader
- Referenced in several emails
- Direct involvement

### Bryan McIntyre

- Manager, Field Engineering
- On numerous emails
- Direct involvement

### Brian Ford

- Title not known
- Referenced in key emails
- Indirect involvement

### Kenneth Gosney

- Project Coordinator
- Direct involvement
- On numerous emails

## Testimony Summary

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The testimony that Staff would expect to elicit from the Shea witnesses would correspond to the role played by each employee or former employee listed below as well as their recollection of what occurred during the negotiations with Cox.

### SHEA SUNBELT/VISTANCIA

#### Curt Smith

- Chief Operating Officer
- Signed most/many agreements
- Referenced in many emails
- Direct involvement

#### Lesa Storey

- Outside counsel during period covered by the 06-0064 matter
- Referenced in several key emails
- Communicated with firm(s) and individual(s) regarding private easement documents used in Indiana
- Involved in preparation and completion of many key documents in Arizona
- Direct involvement

#### Mark Hammons

- President Vistancia Maintenance Corporation
- Referenced in many emails
- Direct involvement

#### Bob Williams

- General Sales Manager
- Referenced in key handwritten note
- Direct involvement

Redacted  
Emails by  
Bates No.

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