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RE THE ARIZONA CORPORATION COMMISSION

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WILLIAM A. MUNDELL  
Chairman  
JIM IRVIN  
Commissioner  
MARC SPITZER  
Commissioner

Arizona Corporation Commission

DOCKETED

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DOCKETED BY *CMR*

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AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE GENERIC  
PROCEEDINGS CONCERNING ELECTRIC  
RESTRUCTURING ISSUES

Docket No. E-00000A-02-0051

IN THE MATTER OF ARIZONA PUBLIC  
SERVICE COMPANY'S REQUEST FOR A  
VARIANCE OF CERTAIN REQUIREMENTS OF  
A.A.C. R14-2-1606

Docket No. E-01345A-01-0822

IN THE MATTER OF THE GENERIC  
PROCEEDING CONCERNING THE ARIZONA  
INDEPENDENT SCHEDULING  
ADMINISTRATOR

Docket No. E-00000A-01-0630

IN THE MATTER OF TUCSON ELECTRIC  
POWER COMPANY'S APPLICATION FOR A  
VARIANCE OF CERTAIN ELECTRIC  
COMPETITION RULES COMPLIANCE DATES

Docket No. E-01933A-02-0069

STAFF'S ISSUE LIST

On September 24, 2002, the Administrative Law Judge ("ALJ") assigned to this matter ordered all parties to file a list of unresolved issues by October 1, 2002. The Arizona Corporation Commission staff ("Staff") hereby files its issue list as required by that procedural order.

At the workshops held on September 26 and 27, 2002, the parties agreed upon a list of the remaining areas in dispute. The following list sets forth those agreed-upon subjects:

- 1) Unmet Needs of APS
- 2) Prices to Beat
- 3) Arizona Corporation Commission Approvals
- 4) Third Party Solicitation Manager/Duties

- 1 5) Affiliate Code of Conduct
- 2 6) Least Cost Planning Proceeding
- 3 7) Demand Side Management and Environmental Risk Mitigation Process.

4 For the ALJ's assistance, Staff is providing an additional list that more specifically describes  
5 the issues associated with each area of dispute. The following list represents Staff's formulation of  
6 the issues and was not agreed upon by the parties.

- 7 1) What portion of APS' load represents its unmet needs?
- 8 2) How should Staff determine and use the "prices to beat"?
- 9
- 10 3) When should the Commission evaluate the prudence of the contracts that result from this  
solicitation?
- 11
- 12 4) Should the utilities be permitted to conduct the solicitation, or should those duties be  
entrusted to an independent third party?
- 13 5) What standards of conduct should govern communications between the utility and its  
14 affiliate? To what degree, if at all, should personnel from a utility's affiliate be permitted  
to participate in the conduct of the solicitation?
- 15 5) Should the Commission adopt a least cost planning proceeding?
- 16
- 17 6) Should the Commission initiate a proceeding to address demand side management and  
environmental risk mitigation?
- 18

19 The September 24<sup>th</sup> Procedural Order also directed the parties to file proposed schedules for  
20 the conduct of the hearing in this matter. Staff has already submitted a proposed schedule in a  
21 previous filing, and believes that schedule to be reasonable. For the ALJ's convenience, those  
22 proposed dates are as follows:

- 23 1) Staff Report - October 25, 2002;
- 24 2) Prefiled testimony from other parties – November 8, 2002;
- 25 3) Responsive testimony from Staff – November 15, 2002; and
- 26 4) Hearing to commence – November 20, 2002.

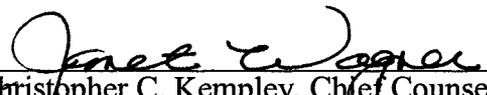
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Staff requests that the ALJ issue a procedural order adopting the dates set forth herein.

RESPECTFULLY SUBMITTED this 1<sup>st</sup> day of October 2002

  
Christopher C. Kempley, Chief Counsel  
Janet F. Wagner, Attorney  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007  
(602) 542-3402

Original and fifteen copies of the foregoing  
filed this 1<sup>st</sup> day of October, 2002,  
with:

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

The foregoing e-mailed this 1<sup>st</sup> day  
of October, 2002, to:

All Track B parties of record

  
Nancy Roe  
Assistant to Janet F. Wagner