

Arizona Corporation Commission
DOCKETED

EXCEPTION



0000070695

FEB 21 2003

**ARIZONA PUBLIC SERVICE COMPANY'S
ALTERNATIVE PROPOSED AMENDMENT
TO RECOMMENDED OPINION AND ORDER**

RECEIVED

2003 FEB 21 P 12:54

DOCKETED BY	<i>CRP</i>
-------------	------------

TIME/DATE PREPARED: February 19, 2003

COMPANY: Generic Restructuring - Track B

AGENDA **AZ CORP COMMISSION
AMENDMENT CONTROL**

DOCKET NO. E-00000A-02-0051

OPEN MEETING DATE: February 21, 2003

E-00000A-02-0051

E-01345A-01-0822

E-00000A-01-0630

E-01933A-02-0069

Page 76, Line 7:

INSERT NEW ORDERING PARAGRAPH:

“IT IS FURTHER ORDERED that notwithstanding any other provision of this Opinion and Order to the contrary, nothing herein shall be construed as:

- i) requiring APS or TEP to purchase any specific amount of capacity or energy during the upcoming Track B solicitation if APS or TEP believes such purchases are not in the best interests of APS or TEP customers and so long as APS and TEP secure their unmet needs from the competitive wholesale market in a reasonable and non-discriminatory manner;
- ii) requiring APS or TEP to utilize explicit environmental or competitive market factors in evaluating Track B bids unless and until the Commission establishes specific measurement and evaluative criteria for such factors in its overall review of the initial 2003 Track B solicitation;
- iii) prohibiting APS, Pinnacle West, or PWEC officers and directors from providing corporate oversight, support and governance to their employees so long as such activities do not favor PWEC in Track B or provide PWEC with confidential APS bidding information during the Track B procurement that is not available to other Track B bidders;
- iv) prohibiting APS or PWCC employees from communicating with PWEC employees about non-Track B matters; or,
- v) preventing APS or TEP from seeking and receiving Commission approval of contracts arising from the Track B solicitation that are longer than 18 months, or that call for deliveries on or after July 1, 2004, which approval will either be granted or denied within 30 days of the filing of such contracts with the Commission.”