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ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

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- 2 **COMMISSIONERS**
- 3 MIKE GLEASON, Chairman
- 4 WILLIAM A. MUNDELL
- 5 JEFF HATCH-MILLER
- 6 KRISTIN K. MAYES
- 7 GARY PIERCE

2008 JUL 21 P 4: 42
 AZ CORP COMMISSION
 DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUL 21 2008

DOCKETED BY	<i>MM</i>
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7 NOTICE OF INTENT TO INCREASE
 8 EQUITY INTEREST IN ARIZONA
 9 PUBLIC SERVICE COMPANY
 UNDER A.A.C. R14-2-803.

DOCKET NO. E-01345A-08-0228

**APS'S COMMENTS ON
RECOMMENDED ORDER**

10 Pinnacle West Capital Corporation ("PNW") and Arizona Public Service
 11 Company ("APS" or "Company") are satisfied with the supportive Report and
 12 Recommended Order filed by Arizona Corporation Commission ("Commission") Staff
 13 in this matter on July 2, 2008. In reviewing the Recommended Order, however, APS
 14 noted that it did not expressly indicate the time period for which authorization was
 15 being granted. APS has discussed with Staff some clarifying language relative to this
 16 issue that would make it explicit that the Company has the ability to receive the
 17 requested equity infusion in either 2008 or 2009.

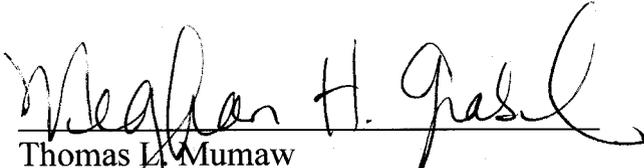
18 In that vein, PNW and APS offer a proposed amendment to the Recommended
 19 Order, attached hereto at Attachment A, which adds clarifying language that would
 20 allow the equity infusion to occur on or before December 31, 2009. As mentioned
 21 above, the Company has discussed the specific language in the proposed amendment
 22 with Commission Staff, who have indicated that they have no concerns with it.

23 PNW and APS have no other reservations about the Recommended Order
 24 proposed by Staff in this matter, and respectfully requests that the Commission adopt it
 25 as modified by the proposed amendment.

26
27 **RESPECTFULLY SUBMITTED** this 21st day of July, 2008.

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Thomas L. Mumaw
Meghan H. Grabel

Attorneys for Pinnacle West Capital
Corporation and Arizona Public Service
Company

The original and 13 copies of the foregoing were
filed this 21st day of July, 2008 with:

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

Copies of the foregoing were hand-
delivered this 21st day of July 2008 to:

Mr. Ernest G. Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Ms. Janice Alward
Chief Counsel, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

Lyn Farmer
Chief Hearing Officer, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007



Attachment A

APS PROPOSED AMENDMENT

Page 4, Line 4:

AFTER THE WORD "APPROVED," INSERT: ", so long as such equity infusion is made on or before December 31, 2009."

MAKE ALL CONFORMING CHANGES.