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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, CHAIRMAN
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

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Arizona Corporation Commission

DOCKETED

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION
OF ARIZONA PUBLIC SERVICE FOR A
HEARING TO DETERMINE THE FAIR
VALUE OF THE UTILITY PROPERTY OF
THE COMPANY FOR RULEMAKING
PURPOSES, TO FIX A JUST AND
REASONABLE RATE OF RETURN
THEREON, TO APPROVE RATE
SCHEDULES DESIGNED TO DEVELOP
SUCH RETURN.

DOCKET NO. E-01345A-08-0172

TOWN OF WICKENBURG'S NOTICE
OF SUPPORT OF SETTLEMENT AND
INTENT NOT TO FILE SEPARATE
TESTIMONY

The Procedural Order dated May 11, 2009, provides: "each supporting party to the Settlement Agreement shall file testimony and associated exhibits on or before July 1, 2009."

The Town of Wickenburg ("Wickenburg") is an intervenor in this matter and a party to the Settlement Agreement. Wickenburg is both a retail and a wholesale customer of Arizona Public Service Company ("APS"). Due to the costs involved, Wickenburg has not retained an independent expert to review the extensive materials of record in this docket and is not in a position to address the numerous technical aspects of the Settlement Agreement. However, Wickenburg, through its legal counsel, did attend many of the discussions leading up to the Settlement Agreement and has formed a belief that issues were fairly and extensively reviewed and debated and that the Settlement represents a good faith attempt to reach a reasonable compromise of the complex issues presented in this docket.

1 In executing the Settlement Agreement, Wickenburg concluded that, as a
2 package and for the purpose of resolving the pending Application, the Settlement Agreement
3 represents a reasonable balance between the needs of APS, its shareholders, its ratepayers and
4 various policies being pursued by the Arizona Corporation Commission (such as renewable
5 resources, energy efficiency, rate stability, transparency and accountability) and therefore its
6 approval will further the public interest.

7 While Wickenburg supports the Settlement Agreement, it does not intend to
8 submit affirmative testimony in support thereof or to extensively participate at the hearing on
9 the Settlement Agreement. This decision is made primarily due to a lack of financial
10 resources to enable it to participate in a meaningful manner. Wickenburg expresses its
11 gratitude to those parties (both governmental and private) that have been able to devote the
12 substantial time and resources necessary to scrutinize APS's application and develop a
13 comprehensive Settlement Agreement.

14 To the extent the May 11, 2009 Procedural Order could be construed to create
15 an affirmative obligation on all parties supporting the Settlement Agreement to file testimony
16 by July 1, 2009, Wickenburg respectfully requests to be excused from such obligation.

17 RESPECTFULLY SUBMITTED this 30th day of June, 2009.

18 CURTIS, GOODWIN, SULLIVAN,
19 UDALL & SCHWAB, P.L.C.

20 

21 Michael A. Curtis
22 William P. Sullivan
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1 PROOF OF AND CERTIFICATE OF MAILING

2 I hereby certify that on this 1st 30th day of July ~~June~~, 2009, I caused the foregoing document
3 to be served on the Arizona Corporation Commission by delivering the original and thirteen (13)
4 copies of the above to:

5 Docket Control
6 Arizona Corporation Commission
7 1200 West Washington
8 Phoenix, Arizona 85007

9 COPY of the foregoing hand delivered/ 7/1/09
10 mailed this 30th day of June, 2009 to:

11 Lyn F. Farmer
12 Chief Administrative Law Judge
13 Hearing Division
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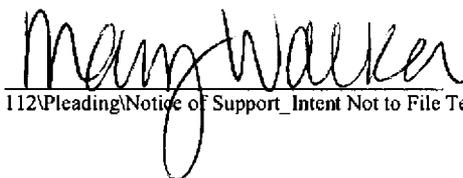
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