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E-00000A-02-0051  
E-01345A-01-0822  
E-00000A-01-0630  
E-01933A-98-0471  
E-01933A-02-0069

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BEFORE THE ARIZONA CORPORATION COMMISSION

2002 FEB 25 A 10:04

IN THE MATTER OF THE GENERIC )  
PROCEEDINGS CONCERNING ELECTRIC )  
RESTRUCTURING ISSUES )

DOCKET NO. E-00000A-02-0051

Arizona Corporation Commission  
**DOCKETED**

COMMENTS OF THE CENTER FOR ENERGY AND  
ECONOMIC DEVELOPMENT

FEB 25 2002

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I. Introduction

The Center for Energy and Economic Development (CEED) submits these Comments in response to the Procedural Order issued in the above-referenced docket on January 22, 2002. CEED is a non-profit organization formed by the nation's railroads, coal producing companies, a number of electric utilities and related organizations for the purpose of participating in state and regional regulatory proceedings affecting the utilization of coal by electric utilities. CEED's members include coal producing companies that sell coal to Arizona electric utilities and railroads that transport that coal.

As an initial matter, CEED takes no position as to whether or not the electric utility industry in Arizona should be restructured. CEED's view is that, if restructuring occurs, it should be fuel and resource neutral. In other words, restructuring should be accomplished in a way that does not favor any one method of generation over any other nor any one type of fuel for generation over any other. All types of electric generation should compete on a level playing field.

Our comments focus on the issues raised in Commissioner Spitzer's January 22, 2002 letter to Commissioners Mundell and Irvin. Commissioner Spitzer's questions