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May 1, 2002

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Phoenix, AZ 85007

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

Re: Docket No. E-00000A-02-0051  
In the matter of the Generic Proceedings Concerning Electric Restructuring

Dear Ms. Cole:

Enclosed for filing in the above-captioned proceeding are the original and fourteen (14) copies of the Sempra Energy Resources' Response to Tucson Electric Power Company's Position Statement. Also enclosed are two additional copies to be conformed and returned to our office in the self-addressed, stamped envelope provided for your convenience.

Please let me know if you have any questions, and thank you for your assistance.

Sincerely,

Lawrence V. Robertson, Jr.

LVR:cl  
enclosures

Arizona Corporation Commission  
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Attorneys for Sempra Energy Resources

**BEFORE THE ARIZONA CORPORATION COMMISSION**

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

IN THE MATTER OF THE GENERIC ) Docket No. E-00000A-02-0051  
PROCEEDINGS CONCERNING ELECTRIC )  
RESTRUCTURING ) **RESPONSE TO TUCSON**  
) **ELECTRIC POWER COMPANY'S**  
) **POSITION STATEMENT**

Sempra Energy Resources ("Sempra") hereby responds to the April 30, 2002 Position Statement filed by Tucson Electric Power Company ("TEP") in the above-captioned proceeding.

There are three aspects of the Position Statement which Sempra desires to address.

First, Sempra believes that the Commission should issue an order in Docket No. E-01933A-02-0069 formally staying the conduct of further proceedings in connection with TEP's Request for Variance pending the completion of any proceedings in the instant docket in furtherance of the Commission's April 25, 2002 decision in Docket Nos. E-00000A-02-0051 and E-01345A-01-0822.

Second, Sempra agrees with TEP that any stay issued in Docket No. E-01933A-02-0069 should

1 apply to all procedural activities and dates, including the current May 7, 2002 date for filing  
2 Intervenor testimony. Finally, in the event the Commission has not rendered a final decision on the  
3 transfer of generation assets and market power issues by August 1, 2002, the questions of whether  
4 and how it should resume consideration of TEP's Request for Variance can be considered at that  
5 time.  
6

7 DATED: May 1, 2002.

8 Respectfully submitted,

9 

10 Lawrence V. Robertson, Jr.  
11 Attorneys for Sempra Energy Resources  
12

13 Original and 14 copies mailed this  
14 1<sup>st</sup> day of May, 2002, to:

15 Docket Control  
16 Arizona Corporation Commission  
17 1200 W. Washington  
Phoenix, AZ 85007

18 Copies Faxed this 1<sup>st</sup> day of May,  
19 2002, to:

20 Lyn A. Farmer, Esq.  
21 Chief Administrative Law Judge  
22 Hearing Division  
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24 Christopher Kempley, Esq.  
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See attached Service List

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