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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

2009 NOV -2 P 4:09  
AZ CORPORATION COMMISSION  
DOCKET CONTROL

IN THE MATTER OF ARIZONA PUBLIC SERVICE COMPANY'S APPLICATION FOR APPROVAL OF CONCENTRATING SOLAR POWER PURCHASE POWER AGREEMENT

DOCKET NO. E-01345A-09-0261  
**STAFF'S RESPONSE TO APS' MOTION TO WITHDRAW APPLICATION**

On October 6, 2009, Arizona Public Service Company ("APS") filed a motion with the Arizona Corporation Commission ("Commission") to withdraw the above-captioned application. APS stated only that on September 29, 2009, Starwood terminated the Purchase Power Agreement ("PPA") with APS.

On October 29, 2009, the Hearing Division issued a procedural order requiring the Utilities Division Staff ("Staff") to file a response to APS' Motion on or before November 2, 2009 stating whether this docket should be closed, and any other appropriate recommendation.

Staff does not oppose APS' Motion given the underlying circumstances which led to the withdrawal, i.e., Starwood's termination of the PPA with APS. Staff recommends that if the Commission grants APS' Motion, this Docket be closed.

RESPECTFULLY SUBMITTED this 2<sup>nd</sup> day of November 2009.

Arizona Corporation Commission  
**DOCKETED**  
NOV - 2 2009

DOCKETED BY [Signature]

Maureen A. Scott, Senior Staff Counsel  
Charles H. Hains, Attorney  
Legal Division  
Arizona Corporation Commission  
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1 Original and thirteen (13) copies  
of the foregoing filed this  
2 2<sup>nd</sup> day of November 2009 with:

3 Docket Control  
Arizona Corporation Commission  
4 1200 West Washington Street  
Phoenix, Arizona 85007

5  
6 Copy of the foregoing email this  
2<sup>nd</sup> day of November 2009 to:

7 Copy of the foregoing mailed this  
3<sup>rd</sup> day of November 2009 to:

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