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_____ Passed _____ RECEIVED _____ Not Offered _____ _____ Withdrawn _____	THIS AMENDMENT: Passed as amended by _____ _____ _____
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2009 DEC -4 P 3:08

CFB

ORIGINAL

AZ CORP COMMISSION DOCKET CONTROL **PECORA PROPOSED AMENDMENT # 3**

DATE PREPARED: December 4, 2009

Arizona Corporation Commission
DOCKETED

DEC - 4 2009

COMPANY: Arizona Public Service Company

DOCKET NOs: E-01345A-08-0172

OPEN MEETING DATES: December 7-9, 2009

AGENDA ITEM: U-2

DOCKETED BY	<i>MM</i>
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Page 41, Line 11

INSERT the following paragraph:

“It is difficult to overstate the impact that Ms. Pecora has had on this case. One of the issues that she has raised during the course of these proceedings is the inequitableness of exempting Native American Reservations from Schedule 3 but ignoring the high level of poverty that exists in rural Arizona on Non-Native American Reservations lands. According to Ms. Pecora nearly forty percent of people living in Apache County and thirty percent of people in Navajo County live below the poverty level.^{fn1} We agree that this is inequitable. Therefore, we will require APS to expand the exception that currently applies to Native American lands to include all lands owned by individuals below 150% of the federal poverty level that were purchased before the effective date of Decision No. 69663.”

Page 53, Line 27

INSERT after “approved”:

“except that we will require APS to expand the exception that currently applies to Native American lands to include all lands owned by individuals below 150% of the federal poverty level that were purchased before the effective date of Decision No. 69663.”

Page 54, Line 14

INSERT after “herein” “, except that the exception that exists for Native American lands will be expanded to include all lands (1) owned by persons below 150% of the federal poverty level and (2) purchased by the current owner before the effective date of Decision No. 69663.”

Conforming changes.

^{fn1} Initial Closing Brief at 17.