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**MAYES PROPOSED AMENDMENT # 5**

AZ CORP COMMISSION  
DOCKET CONTROL

DATE PREPARED: December 4, 2009

COMPANY: Arizona Public Service

AGENDA ITEM NO. U-2

DOCKET NO. E-01345A-08-0172

OPEN MEETING DATE: 12-7-09

Page 53, line 18, INSERT New Finding of Fact: "We wish to make it clear that while we are supportive of the renewable energy and energy efficiency provisions contained within Sections XIV and XV of the Settlement Agreement, we believe that for them to be considered true benefits of the Settlement, they must be mandatory, and not simply "goals", as they were described by several witnesses and as they are referred to throughout the Settlement Agreement. Therefore, we will require that APS acquire new renewable energy resources with annual generation or savings of at least 1.7 million Megawatt hours to be in service by 2015 and cumulative annualized energy savings of 3.75 percent by 2012, as described in the Settlement Agreement."

Page 55, line 5, INSERT New Ordering Paragraph: "IT IS FURTHER ORDERED THAT Arizona Public Service Company shall acquire new renewable energy resources with annual generation or savings of at least 1.7 million Megawatt hours to be in service by 2015, as described in the Settlement Agreement, and shall achieve cumulative annualized energy savings of 3.75 percent by the year 2012, as described in the Settlement Agreement."

Make all conforming changes.

Arizona Corporation Commission  
**DOCKETED**  
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