

Arizona Corporation Commission  
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**COMMENTS: CARL KUNASEK  
OPEN MEETING /OCTOBER 7, 1998**

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AZ CORP COMMISSION

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I have just a few comments that I would like to make before we begin this proceeding.

DOCUMENT CONTROL

The commission has done much to advance the cause of deregulation in a very short period of time. And although I have not agreed with the majority on a number of issues, the fact that we are here today on the verge of ending perhaps the last true monopoly.....will.... I believe be a plus for all consumers overtime.

Choice is something that most Americans value, and I submit that here, too, choice will be valued and beneficial for citizens throughout this state.

But deregulating an industry regulated for 85 years does not come easily or without a price. There is a fair amount of pain that we should expect will flow to all consumers as a result of this watershed change in how consumers procure what many now view as a necessity. My objective is to minimize that pain.

If we are to be successful in this endeavor, our decision must be supported by consumers of all size, and must withstand the court of public scrutiny.

I am concerned that too many important decisions are being made behind closed doors. More to the point, I am concerned that this process is being moved forward in meetings where only key Utility Executives and certain hand-picked members of staff are present. In the past several weeks I have been made aware of literally dozens of meetings, including weekend meetings with not so much as one consumer representative in attendance.

Not RUCO, not the Arizona Consumer Council and not the Arizona Community Action Association.

This is a recipe for disaster.

At stake is more than **ONE BILLION DOLLARS** of our money. This must be done with due deliberation and participation from all parties. Most important it must be done in the light of day.

Last week, I sent a letter outlining my concerns and calling on my fellow Commissioners to conduct a full set of hearings, allow discovery, examination and cross examination of witnesses...in short to create a public record.

We cannot afford to repeat the process of a few months ago and allow parties just 48 hours to respond. The public must be involved and the spirit of the Open Meeting law must be foremost in our minds.

Thank you.

(OVER)

JIM IRVIN  
COMMISSIONER-CHAIRMAN  
RENZ D. JENNINGS  
COMMISSIONER  
CARL J. KUNASEK  
COMMISSIONER



ARIZONA CORPORATION COMMISSION

JACK ROSE  
EXECUTIVE SECRETARY  
DIRECTED  
SEP 30 1998  
Direct Line: 602-542-3933  
Fax: 602-542-5560  
E-mail Address: ckunasek@cc.state.az.us  
Web Page: www.co.state.az.us

September 30, 1998

Mr. Jack Rose  
Executive Secretary  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

Dear Mr. Rose:

It's come to my attention that staff is attempting to settle all outstanding issues remaining in the stranded investment docket. I have noticed several meetings wherein staff and key officials from APS and TEP have met to negotiate such an agreement. While I encourage ongoing dialogue and fact-finding, I do not support this Commission conducting such talks to achieve a settlement that would avoid the hearing process, thereby limiting public scrutiny.

I, for one, believe it imperative that this Commission conduct a thorough hearing on all stranded investment issues. It is essential that there be a record and a very public process in order to move this effort forward with the support of its citizenry and all parties who have participated during these past four years.

Given the magnitude of this issue and its impact on Arizona families, I will not support any decision not evidenced and supported by a record. Keep in mind we are talking about billions of dollars of ratepayer money.

3 COMMISSIONERS  
LEGAL / HEARING  
DIRECTOR  
OLEA

Sincerely,

Handwritten signature of Carl Kunasek.  
Carl Kunasek  
Commissioner

Handwritten signature of Wallace Hubbard.  
CJK/bgm

cc: Chairman-Commissioner Irvin  
Commissioner Jennings  
Paul Bullis  
Ray Williamson

Handwritten signature of Rocket Control.