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CHAIRMAN
JIM IRVIN
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MARC SPITZER
COMMISSIONER



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ARIZONA CORPORATION COMMISSION

December 5, 2001

Arizona Corporation Commission

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Chairman William A. Mundrell
Commissioner Jim Irvin
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

In Re: Chairman Mundrell's December 5, 2001 letter on Electric Competition Rules,
RE- 00000C-94-0165

Dear Fellow Commissioners:

I want to make two things clear regarding the Chairman's letter. First, I support and commend his ability to ask difficult questions, even when those questions address his own prior decisions. Clearly, that marks him as a different and better sort of political leader and I believe that it is to his credit that he has expressed his concerns and reservations in such an honest, forthright manner.

Secondly, I want to reiterate that I believe Arizona's situation vis-à-vis electric de-regulation is wholly and materially different from California's approach. I will not herein recapitulate all the reasons for that belief, as we all know them well and I do not want to belabor the point. But I do want to make it clear that I have not wavered in my belief in the free market generally and specifically in a competitive electric market for Arizona.

That said, I believe we have no reasonable alternative at this juncture but to follow the Chairman's lead in developing information and gathering viewpoints to assist this Commission in fulfilling its ultimate obligation, "to protect the broad public interest". I look forward to the entire process and believe that at the end of the day, the public will be well served by it.

I would also like to take this opportunity to commend Commission Staff for its work in raising concerns and asserting viewpoints regarding electric de-regulation. Whether Staff and I agree philosophically is less important to me than whether the public can look to this institution and know, really know, that the Staff and the Commissioners can and do engage in honest, deliberative, detailed debates over policies. For in that approach alone will representative government work as intended.

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I look forward to the debate.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Marc Spitzer', written in a cursive style.

Marc Spitzer
Commissioner

CC: Brian McNeil
Lynn Farmer
Ernest Johnson
Chris Kempley
Docket Control