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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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DEC 29 2010

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2010 DEC 29 P 12:14  
ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DOCKETED BY

VIKTOR PETER POLIVKA,

Complainant,

vs.

TUCSON ELECTRIC POWER COMPANY,

Respondent

DOCKET NO. E-01933A-10-0340

TUCSON ELECTRIC POWER  
COMPANY'S RESPONSE TO  
COMPLAINANT'S MOTION TO  
DEMAND TO PRODUCE

Tucson Electric Power Company ("TEP" or "Company"), through undersigned counsel, hereby responds to Viktor Polivka's ("Complainant") Motion to Demand to Produce. On September 8, 2010, Complainant filed a Motion to Compel. On September 20, 2010, Complainant filed a Motion to Demand to Produce. On September 17, 2010, TEP responded to both of Complainant's Motions with its Response to Complainant's Motion to Compel and Motion to Demand to Produce.

During the Procedural Conference of November 10, 2010, TEP learned that Complainant did not feel that TEP had adequately responded to his Motion to Demand to Produce. Therefore, TEP hereby responds again that it has no "files an (sic) documents that were created in the process of approving the "other similar system in the past"" to disclose. The reference to approval of a similar system in the past was a general reference and was not meant to refer to a specific customer's account.

RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of December 2010.

TUCSON ELECTRIC POWER COMPANY

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6 Attorney for Tucson Electric Power Company

7 Original and 13 copies of the foregoing  
8 filed this 28<sup>th</sup> day of December 2010 with:

9 Docket Control  
10 Arizona Corporation Commission  
11 1200 West Washington Street  
12 Phoenix, Arizona 85007

13 Copy of the foregoing hand-delivered/mailed  
14 this 28<sup>th</sup> day of December 2010 to:

15 Belinda A. Martin  
16 Administrative Law Judge  
17 Arizona Corporation Commission  
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19 Tucson, AZ 85701

20 Jenny Gomez  
21 Utilities Division  
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By Cam Ruben