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COMMISSIONER IRVIN PROPOSED AMENDMENT # 4

TIME/DATE PREPARED: September 17, 1999 12:00 PM

AZ CORP COMMISSION
DOCUMENT CONTROL

COMPANY: Arizona Public Service Co.

AGENDA ITEM NO. 2

DOCKET NO. E-01345A-98-0473 et al. OPEN MEETING DATE: September 21-23, 1999

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Page 11, Line 22: **DELETE:** Lines 22 through 28, **REPLACE** with:

“Requested Waivers

Under Section 4.3 of the Settlement, Commission approval would automatically act to exempt APS and its affiliates from the application of a wide range of provisions under A.R.S. Title 40. In addition, under Section 4.5 of the Settlement, Commission approval will constitute certain waivers to APS and its affiliates of a variety of the provisions of the Commission’s affiliate interest rules (A.A.C. R14-2-801, et seq.), and the rescission of all or portions of certain prior Commission decision.

Staff recommended that the Commission reserve its approval of the requested statute waivers until such time as the applicability of the statute to competitive services can be evaluated on an industry-wide basis, rather than providing a blanket exemption for APS and its affiliates. We agree with Staff. We will therefore delete Sections 4.3 and 4.5 from the Settlement Agreement.”