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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

GARY PIERCE- CHAIRMAN 2011 OCT 31 P 2:40
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

AZ CORP COMMISSION
DOCKET CONTROL

TYRONE HENRY)	DOCKET NO. E-01933A-11-0346
)	
Complainant,)	
)	
v.)	MOTION TO DISMISS
)	
TUCSON ELECTRIC POWER COMPANY)	
)	
Respondent)	

Tucson Electric Power Company ("TEP"), through its undersigned counsel, hereby moves to dismiss with prejudice the complaint in this Docket. TEP and Complainant have settled the issues underlying the complaint, as set forth in the attached Settlement Agreement, and have agreed to the dismissal of the complaint with prejudice.

RESPECTFULLY SUBMITTED this 31st day of October 2011.

TUCSON ELECTRIC POWER COMPANY

Arizona Corporation Commission

DOCKETED

OCT 31 2011

DOCKETED BY

By
Michael W. Patten
Roshka DeWulf & Patten, PLC
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

and

Bradley S. Carroll, Esq.
Tucson Electric Power Company
One S. Church Avenue, Suite 200
Tucson, Arizona 85701

ROSHKA DeWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Original and 13 copies of the foregoing
filed this 31st day of October 2011 with:

2 Docket Control
3 Arizona Corporation Commission
1200 West Washington Street
4 Phoenix, Arizona 85007

5 Copies of the foregoing hand-delivered/mailed
this 31st day of October 2011 to the following:

6 Tyrone Henry
2018 North Tucker Drive
7 Tucson, Arizona 85716

8 Jane Rodda
9 Administrative Law Judge, Hearing Division
Arizona Corporation Commission
400 West Congress
10 Tucson, Arizona 85701

11 Kimberly Ruht, Esq.
Legal Division
12 Arizona Corporation Commission
1200 West Washington Street
13 Phoenix, Arizona 85007

14 Elijah Abinah
15 Connie Walczak
Utilities Division
Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007

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19 By Mary J. Spolito
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SETTLEMENT AGREEMENT

This Settlement Agreement (the "Agreement") is entered into by and between Tyrone Henry ("Henry"), Raye Stiles ("Stiles") and Tucson Electric Power Company ("TEP")(collectively, the "Parties").

Recitals.

A. On or about September 13, 2011, Henry filed a Complaint against TEP with the Arizona Corporation Commission ("ACC") in Docket No. E-01933A-11-0346 (the "Henry Docket").

B. On or about September 15, 2011, Stiles filed a Complaint against TEP with the ACC in Docket No. E-01933A-11-0350 (the "Stiles Docket")(together with the Henry Docket, the "ACC Dockets").

C. TEP denies the allegations asserted and denies any liability for any claims asserted in the ACC Dockets.

D. On September 30, 2011, the Parties participated in a call with ACC Staff to discuss settlement of the ACC Dockets. As a result of that call, the Parties enter into this Agreement to fully resolve the disputes and claims contained within the docketed complaints as expressly provided herein.

TERMS AND CONDITIONS:

1. TEP agrees to forgo Henry's disputed debt in the amount of \$367.75 (from TEP account number 4305544122 for address 455 W. Kelso St., Apt. #121, Tucson, AZ 85705.)
2. TEP agrees to forgo Stiles' disputed debt in the amount of \$332.41 (from TEP account number 4234485731 for address 734 E. Roger Road, #201, Tucson, AZ 85709).
3. Henry and Stiles agree to make four (4) monthly installment payments in the amount of \$51.21 for the August billing statement and reconnection fee totaling \$204.85 beginning on the October 20, 2011 billing statement (for TEP account number 0315518716 for address 2018 N. Tucker Dr., Tucson, AZ 85716).
4. Henry and Stiles agree to make timely payments in full on future monthly billing statements.
5. Henry and Stiles acknowledge that if they fail to make the payments set forth in Paragraph 3 above or if they fail to make timely payments in full on all future monthly billings, they will be subject to disconnection.
6. Henry and Stiles agree to the dismissal with prejudice of the ACC Dockets. Upon execution of the Settlement Agreement, the Parties agree that TEP will file the Motions

Page One of Two *RLS*

RLS

to Dismiss, attached hereto as Exhibit A, and that neither Stiles, nor Henry, will oppose said motions.

TYRONE HENRY

By [Signature]
Date Oct 25, 2011

RAYE STILES

By [Signature]
Date October 25, 2011

TUCSON ELECTRIC POWER COMPANY

By [Signature]
Its Chief Customer Officer - VP
Date 10-31-11

EXHIBIT

"A"

BEFORE THE ARIZONA CORPORATION COMMISSION

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TYRONE HENRY)	DOCKET NO. E-01933A-11-0346
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By _____
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Phoenix, Arizona 85004

and

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By _____

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RAYE STILES)	DOCKET NO. E-01933A-11-0350
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Complainant,)	
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TUCSON ELECTRIC POWER COMPANY)	MOTION TO DISMISS
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Respondent)	

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