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Arizona Corporation Commission

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FEB - 7 2012

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE- Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

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AZ CORP COMMISSION  
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DOCKET NO. E-01345A-11-0224

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY  
FOR A HEARING TO DETERMINE THE  
FAIR VALUE OF THE UTILITY PROPERTY  
OF THE COMPANY FOR RATEMAKING  
PURPOSES, TO FIX A JUST AND  
REASONABLE RATE OF RETURN  
THEREON, AND TO APPROVE RATE  
SCHEDULES DESIGNED TO DEVELOP  
SUCH RETURN.

**STAFF'S REQUEST FOR CLARIFICATION**

During the evidentiary hearing in this matter, Arizona Corporation Commission ("Commission") Staff was asked by Chairman Pierce to file a notice indicating that the Commission may propose amendments in this case that would have the effect of modifying the Commission's decision in APS's 2009 rate case (Decision No. 71448). Staff drafted a proposed notice and emailed it to the parties on Friday, February 3, 2012, for input. Although Staff received comments from several parties, no consensus was reached on the specific content of the notice.

In general, concerns have arisen over the specificity of the notice. For example, if it is unclear which specific feature of Decision No. 71448 (or any other prior order) may be subject to change, it could be difficult to determine whether the notice is legally sufficient. Under these circumstances, it would be helpful to Staff to receive guidance about the specific issues that the Commission may wish to consider or reconsider.

Because it is critical that any notice of this nature be carefully crafted to comply with any necessary procedural requirements that may be implicated by any contemplated changes to Decision No. 71448 (or any other prior order), Staff respectfully seeks clarification. In that regard, Staff respectfully suggests that this matter could be clarified either through a Commissioner letter to the docket or through Commission discussion at an open meeting.

1 WHEREFORE, Staff respectfully requests clarification and/or identification of the specific  
2 issues that the notice should address.

3 RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of February 2012.



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12 Original and thirteen (13) copies  
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14 7<sup>th</sup> day of February 2012 with:

15 Docket Control  
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