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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
DOCKET CONTROL

THOMAS PATZKE,

DOCKET NO. E-01933A-12-0416

Complainant,

MOTION TO DISMISS AND
REQUEST TO VACATE
HEARING DATE

vs.

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. Because TEP and the Complainant have settled the underlying issues, TEP requests that the hearing scheduled for October 3, 2013 be vacated.

RESPECTFULLY SUBMITTED this 25th day of September, 2013

TUCSON ELECTRIC POWER COMPANY

By

Kimberly A. Ruht
Kimberly A. Ruht
Tucson Electric Power Company
88 E. Broadway Blvd.
Tucson, Arizona, 85702

Arizona Corporation Commission

DOCKETED

SEP 23 2013

DOCKETED BY

[Signature]

and

Jason D. Gellman
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Phoenix, Arizona 85004

Attorneys for Tucson Electric Power Company

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Original and 13 copies of the foregoing
filed this 23rd day of September 2013 to:

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

Copy of the foregoing hand-delivered/mailed
this 23rd day of September 2013 to:

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By *Robbie Amund*