

# PINNACLE WEST CAPITAL CORP

## FORM 8-K (Current report filing)

Filed 06/06/02 for the Period Ending 06/05/02

Address	400 NORTH FIFTH STREET MS8695 PHOENIX, AZ 85004
Telephone	602 250 1000
CIK	0000764622
Symbol	PNW
SIC Code	4911 - Electric Services
Industry	Electric Utilities
Sector	Utilities
Fiscal Year	12/31

# PINNACLE WEST CAPITAL CORP

## FORM 8-K (Unscheduled Material Events)

Filed 6/6/2002 For Period Ending 6/5/2002

Address	400 NORTH FIFTH STREET . PHOENIX, Arizona 85004
Telephone	602-379-2500
CIK	0000764622
Industry	Electric Utilities
Sector	Utilities
Fiscal Year	12/31

# SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the  
Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): June 5, 2002

## PINNACLE WEST CAPITAL CORPORATION

(Exact name of registrant as specified in its charter)

Arizona  
(State or other jurisdiction  
of incorporation)

1-8962  
(Commission  
File Number)

86-0512431  
(IRS Employer  
Identification Number)

400 North Fifth Street, P.O. Box 53999, Phoenix, Arizona 85072-3999  
(Address of principal executive offices) (Zip Code)

(602) 250-1000  
(Registrant's telephone number, including area code)

NONE  
(Former name or former address, if changed since last report)

**ITEM 7. FINANCIAL STATEMENTS, PRO FORMA FINANCIAL INFORMATION AND EXHIBITS.**

The Registrant hereby files the following response to a data request from the Federal Energy Regulatory Commission ("FERC") which was filed with FERC on June 5, 2002.

(c) Exhibits.

Exhibit No. -----	Description -----
99.1	Response of Pinnacle West Capital Corporation ("Pinnacle West"), Arizona Public Service Company ("APS"), Pinnacle West Energy Corporation ("Pinnacle West Energy") and APS Energy Services Company, Inc. ("APSES") (excluding exhibits) to FERC's May 22, 2002 data request addressed to those sellers of natural gas in the United States portion of the Western Systems Coordinating Council and/or Texas during the period 2000-2001.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Company has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**PINNACLE WEST CAPITAL CORPORATION**  
(Registrant)

Dated: June 6, 2002

By: Michael V. Palmeri

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Michael V. Palmeri  
Vice President, Finance

**UNITED STATES OF AMERICA**

**FEDERAL ENERGY REGULATORY COMMISSION**

**FACT-FINDING INVESTIGATION OF POTENTIAL DOCKET NO. PA02-2-000  
MANIPULATION OF ELECTRIC AND  
NATURAL GAS PRICES**

**TO: DONALD J. GELINAS, ASSOCIATE DIRECTOR OF OFFICE OF MARKETS, TARIFFS, AND RATES**

**RESPONSE OF THE PINNACLE WEST COMPANIES  
TO COMMISSION'S MAY 22, 2002 DATA REQUEST**

The following constitutes the response of Arizona Public Service Company ("APS") and its affiliates, Pinnacle West Capital Corporation ("PWCC"), Pinnacle West Energy Corporation ("PWE"), and APS Energy Services Company, Inc. ("APSES") (collectively the "Pinnacle West Companies") to the Commission's Data Request dated May 22, 2002, addressed to those sellers of natural gas in the United States portion of the Western Systems Coordinating Council ("WSCC") and/or Texas during the period 2000-2001 (the "Data Requests").

In responding to the current Data Requests, and as described in the accompanying affidavit of David A. Hansen, Vice President of Pinnacle West Marketing and Trading for Pinnacle West Capital Corporation, the Pinnacle West Companies conducted a thorough investigation into the trading activities of their employees and agents in the United States portion of the WSCC and/or Texas during the years 2000 and 2001. This investigation included interviews of trading personnel and a review of available electronic and paper documentation. To the extent that additional documentation or information is discovered that warrants supplementation of this response, the Pinnacle West Companies will do so promptly.

The Request for Admission and Request for Production of Documents are set forth below followed by the Pinnacle West Companies' responses.

I. REQUEST FOR ADMISSION

A. ADMIT OR DENY: THE COMPANY ENGAGED IN ACTIVITIES REFERRED TO AS "WASH," "ROUND TRIP" OR "SELL/BUYBACK" TRADING. THIS TRADING INVOLVES THE SALE OF NATURAL GAS TOGETHER WITH A SIMULTANEOUS PURCHASE OF THE SAME PRODUCT AT THE SAME PRICE.

The Pinnacle West Companies deny that they engaged in the activity described in A above.

B. IF YOU SO ADMIT, PROVIDE TRANSACTION BY TRANSACTION DETAILS FOR ALL SUCH TRANSACTIONS YOUR COMPANY ENGAGED IN, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

1. INDICATE THE METHODS AND RATIONALE USED TO ARRIVE AT THE VALUE OR COMPENSATION OF SUCH TRANSACTIONS.

2. FOR EACH TRANSACTION, INDICATE WHETHER THAT TRANSACTION WAS REPORTED TO PLATT'S, BLOOMBERG, OR ANY ORGANIZATION THAT MONITORS, PUBLISHES OR REPORTS TRADING DATA (INCLUDING BID-AND-ASK DATA) OR PUBLISHES OR REPORTS PRICES OR FORWARD INDICES.

3. IDENTIFY EACH TRADER THAT PARTICIPATED IN SUCH TRANSACTIONS, BY NAME AND POSITION WITHIN YOUR COMPANY, IF EMPLOYED BY YOU. IF NOT EMPLOYED BY YOU, IDENTIFY EACH TRADER'S NAME AND AFFILIATION. FOR EACH FORMER TRADER, STATE THEIR LAST KNOWN HOME ADDRESS AND TELEPHONE NUMBER.

4. IDENTIFY HOW SUCH TRANSACTIONS WERE EXECUTED (E.G., WHETHER AN ELECTRONIC PLATFORM WAS USED TO INITIATE THE SALE OR PURCHASE, WITH THE PURCHASE OR SALE TRANSACTION SUBSEQUENTLY ARRANGED THROUGH A BROKER OR BY TELEPHONE).

5. DESCRIBE ALL POLICIES AND PROCEDURES THAT HAVE BEEN IMPLEMENTED TO PREVENT FUTURE TRANSACTIONS OF THIS TYPE.

Not applicable.

## II. REQUEST FOR PRODUCTION OF DOCUMENTS

**TO THE EXTENT YOUR COMPANY ENGAGED IN "WASH," "ROUND TRIP," OR "SELL/BUYBACK" TYPE TRANSACTIONS, PROVIDE THE FOLLOWING DOCUMENTS:**

A. PROVIDE COPIES OF ALL COMMUNICATIONS OR CORRESPONDENCE, INCLUDING E-MAIL MESSAGES, INSTANT MESSAGES, OR TELEPHONE LOGS, BETWEEN YOUR COMPANY AND ANY OTHER COMPANY (INCLUDING YOUR AFFILIATES OR SUBSIDIARIES) THAT REFER OR RELATE TO THIS ACTIVITY. PROVIDE THE COPIES IN ELECTRONIC FORMAT.

Not applicable.

B. PROVIDE COPIES OF ALL MATERIAL, INCLUDING, BUT NOT LIMITED TO, OPINION LETTERS, MEMORANDA, COMMUNICATIONS (INCLUDING E-MAILS AND TELEPHONE LOGS), OR REPORTS, THAT ADDRESS OR DISCUSS YOUR COMPANY'S KNOWLEDGE OF, AWARENESS OF, UNDERSTANDING OF, OR EMPLOYMENT OR USE OF ANY SUCH TRANSACTIONS IN THE U.S. PORTION OF THE WSCC AND/OR TEXAS DURING THE PERIOD 2000-2001.

Not Applicable

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**End of Filing**