

PINNACLE WEST CAPITAL CORP

FORM 8-K (Current report filing)

Filed 08/13/02 for the Period Ending 08/13/02

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 8/13/2002 For Period Ending 8/13/2002

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): August 13, 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 AND EXHIBITS

(C) EXHIBITS. The following exhibits are being furnished under Item 9 of this Report.

EXHIBIT NO. ---	DESCRIPTION -----
99.1	Sworn statement of William J. Post, the Registrant's principal executive officer, as filed on August 13, 2002 with the Securities and Exchange Commission pursuant to Section 21(a)(1) of the Securities Exchange Act of 1934.
99.2	Sworn statement of Michael V. Palmeri, the Registrant's principal financial officer, as filed on August 13, 2002 with the Securities and Exchange Commission pursuant to Section 21(a)(1) of the Securities Exchange Act of 1934.
99.3	Certification pursuant to Section 906 of the Sarbanes-Oxley Act of 2002 of William J. Post, the Registrant's principal executive officer, as submitted to the Securities and Exchange Commission on August 13, 2002.
99.4	Certification pursuant to Section 906 of the Sarbanes-Oxley Act of 2002 of Michael V. Palmeri, the Registrant's principal financial officer, as submitted to the Securities and Exchange Commission on August 13, 2002.

ITEM 9. REGULATION FD DISCLOSURE

This Report and the attached exhibits are being furnished pursuant to Regulation FD. On August 13, 2002, William J. Post, the Registrant's principal executive officer, and Michael V. Palmeri, the Registrant's principal financial officer, each filed with the Securities and Exchange Commission (the "Commission") the sworn statements required by the Commission's June 27, 2002 Order Requiring the Filing of Sworn Statements Pursuant to Section 21(a)(1) of the Securities Exchange Act of 1934 (File No. 4-460). A copy of the sworn statements are attached as Exhibits 99.1 and 99.2. Also on August 13, 2002, William J. Post and Michael V. Palmeri submitted to the Commission certifications pursuant to Section 906 of the Sarbanes-Oxley Act of 2002. A copy of the certifications are attached as Exhibits 99.3 and 99.4.

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: August 13, 2002

By: Michael V. Palmeri

Michael V. Palmeri
Vice President, Finance

**STATEMENT UNDER OATH OF PRINCIPAL EXECUTIVE OFFICER
REGARDING FACTS AND CIRCUMSTANCES RELATING
TO EXCHANGE ACT FILINGS**

I, William J. Post, state and attest that:

(1) To the best of my knowledge, based upon a review of the covered reports of Pinnacle West Capital Corporation, and, except as corrected or supplemented in a subsequent covered report:

- * no covered report contained an untrue statement of a material fact as of the end of the period covered by such report (or in the case of a report on Form 8-K or definitive proxy materials, as of the date on which it was filed); and
- * no covered report omitted to state a material fact necessary to make the statements in the covered report, in light of the circumstances under which they were made, not misleading as of the end of the period covered by such report (or in the case of a report on Form 8-K or definitive proxy materials, as of the date on which it was filed).

(2) I have reviewed the contents of this statement with Pinnacle West Capital Corporation's Audit Committee.

(3) In this statement under oath, each of the following, if filed on or before the date of this statement, is a "covered report":

- * the Annual Report on Form 10-K for the fiscal year ended December 31, 2001 of Pinnacle West Capital Corporation;
- * all reports on Form 10-Q, all reports on Form 8-K and all definitive proxy materials of Pinnacle West Capital Corporation filed with the Commission subsequent to the filing of the Form 10-K identified above; and
- * any amendments to any of the foregoing.

William J. Post

William J. Post
Chairman of the Board and
Chief Executive Officer
Date: 8/13/02

Subscribed and sworn to before me
this 13th day of August, 2002.

Kris Fenex

Notary Public
My commission expires: 8/16/02

**STATEMENT UNDER OATH OF PRINCIPAL FINANCIAL OFFICER
REGARDING FACTS AND CIRCUMSTANCES RELATING
TO EXCHANGE ACT FILINGS**

I, Michael V. Palmeri, state and attest that:

1. To the best of my knowledge, based upon a review of the covered reports of Pinnacle West Capital Corporation, and, except as corrected or supplemented in a subsequent covered report:

- * no covered report contained an untrue statement of a material fact as of the end of the period covered by such report (or in the case of a report on Form 8-K or definitive proxy materials, as of the date on which it was filed); and
- * no covered report omitted to state a material fact necessary to make the statements in the covered report, in light of the circumstances under which they were made, not misleading as of the end of the period covered by such report (or in the case of a report on Form 8-K or definitive proxy materials, as of the date on which it was filed).

2. I have reviewed the contents of this statement with Pinnacle West Capital Corporation's Audit Committee.

3. In this statement under oath, each of the following, if filed on or before the date of this statement, is a "covered report":

- * the Annual Report on Form 10-K for the fiscal year ended December 31, 2001 of Pinnacle West Capital Corporation;
- * all reports on Form 10-Q, all reports on Form 8-K and all definitive proxy materials of Pinnacle West Capital Corporation filed with the Commission subsequent to the filing of the Form 10-K identified above; and
- * any amendments to any of the foregoing.

Michael V. Palmeri

Michael V. Palmeri
Vice President, Finance
Date: 8/13/02

Subscribed and sworn to before me
this 13th day of August, 2002.

Linda G. Redman

Notary Public
My commission expires: 2/8/03

EXHIBIT 99.3

CERTIFICATION PURSUANT TO SECTION 906 OF THE SARBANES-OXLEY ACT OF 2002
(WILLIAM J. POST)

I, William J. Post, the Chairman of the Board and Chief Executive Officer of Pinnacle West Capital Corporation ("Pinnacle West"), certify, to the best of my knowledge, that: (a) the attached Quarterly Report on Form 10-Q of Pinnacle West for the quarterly period ended June 30, 2002 (the "June 2002 Form 10-Q") fully complies with the requirements of Section 13(a) or 15(d) of the Securities Exchange Act of 1934 and (b) the information contained in the June 2002 Form 10-Q Report fairly presents, in all material respects, the financial condition and results of operations of Pinnacle West.

William J. Post

William J. Post Chairman of the Board and Chief Executive Officer Date: August 13, 2002

The foregoing certificate is being furnished solely pursuant to Section 906 of the Sarbanes-Oxley Act of 2002 (subsections (a) and (b) of Section 1350, Chapter 63, Title 18, United States Code) and is not being filed as part of the Form 10-Q or as a separate disclosure document.

CERTIFICATION PURSUANT TO SECTION 906 OF THE SARBANES-OXLEY ACT OF 2002C
(MICHAEL V. PALMERI)

I, Michael V. Palmeri, the Vice President, Finance of Pinnacle West Capital Corporation ("Pinnacle West"), certify, to the best of my knowledge, that: (a) the attached Quarterly Report on Form 10-Q of Pinnacle West for the quarterly period ended June 30, 2002 (the "June 2002 Form 10-Q") fully complies with the requirements of Section 13(a) or 15(d) of the Securities Exchange Act of 1934 and (b) the information contained in the June 2002 Form 10-Q Report fairly presents, in all material respects, the financial condition and results of operations of Pinnacle West.

Michael V. Palmeri

Michael V. Palmeri Vice President, Finance Date: August 13, 2002

The foregoing certificate is being furnished solely pursuant to Section 906 of the Sarbanes-Oxley Act of 2002 (subsections (a) and (b) of Section 1350, Chapter 63, Title 18, United States Code) and is not being filed as part of the Form 10-Q or as a separate disclosure document.

End of Filing

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