

PINNACLE WEST CAPITAL CORP

Form 8-K

August 09, 2004

Table of Contents

**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 23, 2004

**PINNACLE WEST CAPITAL CORPORATION**

(Exact name of registrant as specified in its charter)

|  |   |   |
|--|---|---|
| Arizona  | 1-8962  | 86-0512431                              |
| (State or other jurisdiction<br>of incorporation)        | (Commission<br>File Number)                                   | (IRS Employer<br>Identification Number) |
| 400 North Fifth Street, P.O. Box 53999, Phoenix, Arizona |   | 85072-3999                              |
| (Address of principal executive offices)                 |   | (Zip Code)                              |
|  | <u>(602) 250-1000</u>   |   |
|  | (Registrant's telephone number, including area code)          |   |
|  | <u>NONE</u>   |   |
|  | (Former name or former address, if changed since last report) |   |

---

**TABLE OF CONTENTS**

Item 7. Financial Statements, Pro Forma Financial Information and Exhibits

SIGNATURES

EX-4.4

---

**Table of Contents**

Item 7. Financial Statements, Pro Forma Financial Information and Exhibits

(c) Exhibits.

The registrant hereby files the following exhibit to its Registration Statement on Form S-3 (No. 33-15190), as amended.

| <b><u>Exhibit No.</u></b> | <b><u>Description</u></b>   |
|---------------------------|---|
| 4.4                       | Second Amended and Restated Investors Advantage Plan dated as of June 23, 2004. |

---

**Table of Contents**

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 6, 2004

By: /s/ Barbara M. Gomez

---

Barbara M. Gomez  
Vice President and Treasurer