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ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION

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2009 JAN 23 P 3:37

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE COMMISSION'S
FIFTH BIENNIAL TRANSMISSION
ASSESSMENT ("BTA"), PURSUANT TO THE
ADEQUACY OF EXISTING AND PLANNED
TRANSMISSION FACILITIES TO MEET
ARIZONA'S ENERGY NEEDS IN A
RELIABLE MANNER.

DOCKET NO. E-00000D-07-0376

STAFF'S MOTION FOR PROCEDURAL
ORDER NUNC PRO TUNC

On October 23, 2008, Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") docketed in the above captioned matter the final draft of the Biennial Transmission Assessment ("BTA"). Among Staff's recommendations that are set out in the BTA was that:

APS, SSVEC, and TEP are to perform collaborative studies and file a report of those studies for the next BTA that establishes a long range system plan for Cochise County that is founded on the principle of continuity of service following a transmission line outage. SWTC shall participate in the study effort as SSVEC's current sole transmission service provider. Relevant elements of that plan are to be incorporated in each transmission service provider's respective ten year plans with a defined in-service date and filed with the Commission in January 2010.

Final Draft BTA filed October 23, 2008 at 77, Docket No. E-00000D-07-0376.

In addition, Staff provided a proposed order that likewise incorporated the same recommendation. However, the language used in Staff's proposed order incorrectly stated that the plan should be filed in January 2009. Staff proposed order filed on October 29, 2008 at 7:1-5. Although amendments were made to the proposed order during the Open Meeting that considered the matter, this particular recommendation was not modified. Consequently, Decision No. 70635 (December 11, 2008) likewise incorporates a January 2009 due date for the required plan. Decision No. 70635 at 7:1-5.

Arizona Corporation Commission
DOCKETED

JAN 23 2009

DOCKETED BY	<i>Mn</i>
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1 Staff believes that the January 2009 due date for the recommended plan was intended to be set
2 for January 2010, as was expressed in the final draft of the BTA and that the 2009 reference is a
3 typographical error. By this motion, Staff requests a Procedural Order be issued pursuant to Arizona
4 Rules of Civil Procedure 58(a) and 60(a) that would modify Decision No. 70635 *nunc pro tunc* to
5 correct the date for compliance with Staff's recommendation at page 7, line 5 to January 2010.

6 RESPECTFULLY SUBMITTED this 23rd day of January, 2009.

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13 of the foregoing were filed this
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