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 IBEW Local 387

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

APR - 8 2010

BEFORE THE ARIZONA

CORPORATION COMMISSION

DOCKETED BY

11 IN THE MATTER OF THE
 12 APPLICATION OF NAVOPACHE
 ELECTRIC COOPERATIVE, INC.,
 13 AN ARIZONA NON-PROFIT
 CORPORATION, FOR APPROVAL
 14 OF A RUS GUARANTEED FFB
 LOAN IN THE AMOUNT OF
 15 \$33,231,000 TO FUND
 CONSTRUCTION OF FACILITIES.

Docket No. E-01787A-10-0030

**IBEW LOCAL 387'S:
 WITHDRAWAL OF APPLICATION
 TO INTERVENE IN DOCKET
 NUMBER E-01787A-10-0030**

16 Having been notified by counsel for Navopache Electric
 17 Cooperative, Inc. ("Navopache") that Navopache's most recent
 18 filing was inadvertently made under a new docket number
 19 (i.e., E-01787A-10-0030) when, in fact, it ought to have
 20 been made under E-01787A-05-0719, Local Union 387,
 21 International Brotherhood of Electrical Workers, AFL-CIO
 22 ("IBEW Local 387"), by and through undersigned counsel,
 23 hereby withdraws its Application to Intervene in Docket
 24 Number E-01787A-10-0030 and, instead, moves to intervene in
 25 Docket Number E-01787A-05-0719 for the reasons set forth in
 26 the attached document.

1 RESPECTFULLY SUBMITTED this 8th day of April, 2010.

2 LUBIN & ENOCH, P.C.

3
4 
5 Nicholas J. Enoch, Esq.
Attorney for Intervenor-Applicant

6 Original and thirteen (13) copies
7 of IBEW Local 387's Application
8 filed this 8th day of April, 2010,
9 with:

10 Arizona Corporation Commission
11 Docket Control Center
12 1200 West Washington Street
13 Phoenix, Arizona 85007-2996

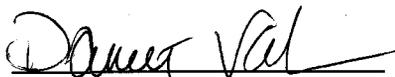
14 Copies of the foregoing
15 transmitted via e-mail
16 this same date to:

17 Lyn Farmer, Chief Hearing Officer
18 Hearing Division
19 Arizona Corporation Commission
20 1200 West Washington Street
21 Phoenix, Arizona 85007

22 Michael A. Curtis, Esq.
23 William P. Sullivan, Esq.
24 Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
25 501 East Thomas Road
26 Phoenix, Arizona 85012-3205
27 Attorney for Applicant

28 Janice M. Alward, Esq.
29 Chief Legal Counsel, Legal Division
30 Arizona Corporation Commission
31 1200 West Washington
32 Phoenix, Arizona 85007

33 Steven M. Olea, Director
34 Utilities Division
35 Arizona Corporation Commission
36 1200 West Washington
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12 IBEW Local 387

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**BEFORE THE ARIZONA
CORPORATION COMMISSION**

IN THE MATTER OF THE
APPLICATION OF NAVOPACHE
ELECTRIC COOPERATIVE, INC.,
AN ARIZONA NON-PROFIT
CORPORATION, FOR APPROVAL
OF A RUS GUARANTEED FFB
LOAN IN THE AMOUNT OF
\$33,231,000 TO FUND
CONSTRUCTION OF FACILITIES.

Docket No. E-01787A-10-0030

**IBEW LOCAL 387'S
APPLICATION TO INTERVENE**

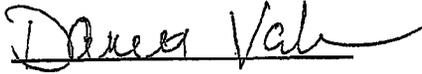
Pursuant to A.A.C. R14-3-105(A) and (B), Local Union 387, International Brotherhood of Electrical Workers, AFL-CIO ("IBEW Local 387"), by and through undersigned counsel, hereby moves the Arizona Corporation Commission ("ACC") for leave to intervene as a party in the above-captioned matter.

IBEW Local 387 is "directly and substantially affected by the proceedings," *id.*, inasmuch as it is the exclusive representative of approximately seventy-seven (77) employees of Navopache Electric Cooperative, Inc. ("Navopache"). Navopache and IBEW Local 387 have been parties to a long series of collective bargaining agreements ("CBA"), dating back to the early 1950s, concerning rates of pay, wages, hours of employment, and other terms and conditions of

1 employment at Navopache. The parties most recent CBA
2 expired on November 1, 2009 and negotiations on a successor
3 agreement are plodding forward. IBEW Local 387 represents
4 all of the Navopache employees listed in attached Exhibit A.

5 Based on the above, IBEW Local 387 not only has a
6 direct interest in the outcome of this very large financing
7 proceeding, but there is a substantial risk that this case
8 may impair its interest absent being permitted to intervene
9 into the above-captioned matter. In particular, while IBEW
10 Local 387 certainly supports the needed construction of
11 electric distribution and transmission facilities, IBEW
12 Local 387 is concerned about Navopache's balance sheet and,
13 what is more important, the Company's overall long-term
14 strategic plan and the Union's role in it. Because Article
15 XV, § 3 of the Arizona Constitution expressly provides that
16 "[t]he Corporation Commission shall... make and enforce
17 reasonable rules, regulations, and orders for the
18 convenience, comfort, and safety, and the preservation of
19 the health, of the employees and patrons of [public service
20 corporations]," IBEW Local 387 is confident that its
21 participation in this proceeding will not unduly broaden the
22 topics delineated in A.R.S. § 40-301[C] and presented
23 herein. Similarly, because no existing (or potential) party
24 adequately protects the interests of IBEW Local 387, it is
25 confident that its participation in these proceedings will
26 lead to a more well-reasoned decision on the part of the
27 ACC.

1 Steven M. Olea, Director
2 Utilities Division
3 Arizona Corporation Commission
4 1200 West Washington
5 Phoenix, Arizona 85007

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7 Fr:\Law Offices\client directory\TREV L 387\091\2010 Navopache-091.HcoI.pld.vpd

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EXHIBIT A

LOCAL UNION NO. 387 of the INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS

Navopache Electric Cooperative, Inc.
union contract wages

EXHIBITA

1500	Area Service Representative
1510	Communication Electronic Tech
1511	Comm Electronic Tech (1st year)
1512	Comm Electronic Tech (2nd year)
1513	Comm Electronic Tech (3rd year)
1514	Comm Electronic Tech -Journeyman
1515	Comm Electronic Tech - Lead
1540	Class " A Serviceman
1580	ForemanII
1570	Groundman
1571	Groundman & Pre-Apprentice Groundman (1st year)
1572	Groundman & Pre-Apprentice Groundman(2nd & 3rd year)
1573	Groundman & Pre-Apprentice Groundman(after 3rd year)
1580	Jackhammerman
1590	Laborer
1591	Laborer 1st 3 months
1600	Apprentice Lineman/Polyphase/Substation
1601	Apprentice Lineman (1st 6 months)
1602	Apprentice Lineman (2nd 6 months)
1603	Apprentice Lineman (3rd 6 months)
1604	Apprentice Lineman (4th 6 months)
1605	Apprentice Lineman (5th 6 months)
1606	Apprentice Lineman (6th 6 months)
1607	Apprentice Lineman (7th 6 months)
1608	Apprentice Lineman (8th 6 months)
1609	Lineman -Journeyman
1610	Lineman -Foreman I
1620	Shop Foreman
1630	Auto-Mechanic - Journeyman
1640	Mechanic Hire

1650	Mechanic Apprentice
1651	Mechanic Apprentice (1st 6 months)
1652	Mechanic Apprentice(2nd 6 months)
1653	Mechanic Apprentice (3rd 6 months)
1654	Mechanic Apprentice (4th 6 months)
1655	Mechanic Apprentice (5th 6 months)
1656	Mechanic Apprentice (6th 6 months)
1660	Meterman Polyphase Journeymen
1670	Meterman Polyphase -Lead
1676	Journeyman Electrician Metering (1 st Six Months)
1676	Journeyman Electrician Metering (2 nd Six Months)
1677	Journeyman Electrician Metering (3 rd Six Months)
1678	Journeyman Electrician Metering (Thereafter)
1680	Meterman Single Phase
1685	Assistant Meter Tech
1686	Assistant Meter Tech (1st 6 months)
1687	Assistant Meter Tech (2nd 6 months)
1688	Assistant Meter Tech (3rd 6 months)
1689	Assistant Meter Tech (Thereafter)
1690	Meter Reader
1961	Meter Reader (1st 6 months)
1962	Meter Reader (2nd 6 months)
1963	Meter Reader (3rd 6 months)
1964	Meter Reader (Thereafter)
1965	Meter Reader Lead
1720	Storekeeper -Lead
1721	Storekeeper- Lead(1st Year)
1722	Storekeeper- Lead(Thereafter)
1730	Storekeeper (1st 6 months)
1732	Storekeeper (2nd 6 months)
1733	Storekeeper (3rd 6 months)
1734	Storekeeper (Thereafter)
1740	Sub-station Maintenance Man
1741	Appr. Sub Station Maint Man (1st 6 months)
1742	Appr. Sub Station Maint Man (2nd 6 months)
1743	Appr. Sub Station Maint Man (3rd 6 months)
1744	Appr. Sub Station Maint Man (4th 6 months)
1745	Appr. Sub Station Maint Man (5th 6 months)
1746	Appr. Sub Station Maint Man (6th 6 months)
1747	Appr. Sub Station Maint Man (7th 6 months)
1748	Appr. Sub Station Maint Man (8th 6 months)
1750	Sub-station Maintenance Man - Foreman
1751	Sub Station Elect. Apparatus Technician

1752 Sub Station Elect. App Tech (1st 6 months)
1753 Sub Station Elect. App Tech (2nd 6 months)
1754 Sub Station Elect. App Tech (3rd 6 months)
1755 Sub Station Elect. App Tech (Thereafter)

1760 Tree Trimmer
1761 Apprentice Tree Trimmer (1st 6 months)
1762 Apprentice Tree Trimmer (2nd 6 months)
1763 Apprentice Tree Trimmer (3rd 6 months)
1764 Apprentice Tree Trimmer (4th 6 months)
1765 Journeyman Tree Trimmer

1766 Tree Trimmer - Foreman

1770 Truckdriver " A

1780 Truckdriver "B"

1785 Cabler Locator • Utility

EXHIBIT B

1790 Customer Service Representative
1791 Customer Service Representative • Lead
1792 Customer Service Representative (1st 6 months)
1793 Customer Service Representative (2nd 6 months)
1794 Customer Service Representative (3rd 6 months)
1795 Customer Service Representative (4th 6 months)
1796 Customer Service Representative (Thereafter)

1810 Area Office Coordinator
1811 Area Office Coordinator (1st 6 months)
1812 Area Office Coordinator (2nd 6 months)
1813 Area Office Coordinator (3rd 6 months)
1814 Area Office Coordinator (4th 6 months)
1815 Area Office Coordinator (Thereafter)

1820 Cashier
1821 Cashier (1st 6 months)
1822 Cashier (2nd 6 months)
1823 Cashier (3rd 6 months)
1824 Cashier (4th 6 months)
1825 Cashier Thereafter

1840 General Office Clerk
1841 General Office Clerk (1st 6 months)
1842 General Office Clerk (2nd 6 months)
1843 General Office Clerk (3rd 6 months)
1844 General Office Clerk (4th 6 months)
1845 General Office Clerk (Thereafter)

1920 Collections Representative
1921 Collections Representative (1st 6 months)
1922 Collections Representative (2nd 6 months)

1923 Collections Representative (3rd 6 months)
1924 Collections Representative (4th 6 months)
1925 Collections Representative (Thereafter)

1930 Collections Representative - Lead
1931 Collections Representative - Lead (1st 6 months)
1932 Collections Representative - Lead (2nd 6 months)
1933 Collections Representative - Lead (3rd 6 months)
1934 Collections Representative - Lead (4th 6 months)
1935 Collections Representative - Lead (Thereafter)

1940 Accounting Clerk
1941 Accounting Clerk (1st six months)
1942 Accounting Clerk (2nd six months)
1943 Accounting Clerk (3rd six months)
1944 Accounting Clerk (4th six months)
1945 Accounting Clerk (Thereafter)