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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION  
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COMMISSIONERS

KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

DOCKET NO. E-01787A-05-0719

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 THE CONSTRUCTION OF  
FACILITIES.

PROCEDURAL ORDER

On May 5, 2006, in Decision No. 68691, the Arizona Corporation Commission ("Commission") granted Navopache Electric Cooperative, Inc., an Arizona non-profit corporation ("Navopache"), authority to borrow funds from the Rural Utilities Service Guaranteed Federal Financing Bank to finance plant construction according to Navopache's construction work plan for 2005-2008 ("Work Plan").

On April 8, 2010, IBEW Local 387 ("Local 387") filed an Application to Intervene in this docket.

On April 14, 2010, Navopache filed in this docket a Notice of Amendment to 2005-2010 Work Plan to provide supplemental information regarding the amendment made to Navopache's Rural Utility Service ("RUS") approved Work Plan for the period 2005-2009.

On April 16, 2010, Navopache filed a Response to Local 387's Application to Intervene. Navopache opposed Local 387's intervention. Navopache argued that the request was untimely filed and inappropriate because no additional borrowing is being requested and no additional loan documentation must be executed.

On April 22, 2010, Local 387 filed a Reply in Support of Application to Intervene. Local 387 argued that Navopache's April 14, 2010 filing indicates that it plans to use the loan proceeds for purposes "other than that specifically delineated in its original application" in this docket.

On May 5, 2010, a procedural order was issued granting intervention to Local 387.

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On May 17, 2010, IBEW Local 387 filed a Motion for Preliminary Prehearing Conference.

On May 18, 2010, Navopache docketed Motion for Determination that No Amendment to Decision No. 68691 is Necessary, or in the Alternative, for Approval of an Amendment to Decision No. 68691. The filing stated that Navopache supports Local 387's request for a procedural conference.

A procedural conference should be scheduled for the purpose of allowing the parties to discuss an appropriate means of resolving the dispute between Navopache and Local 387.

IT IS THEREFORE ORDERED that a **procedural conference** shall be held on **May 24, 2010, commencing at 1:30 p.m.**, or as soon thereafter as practicable, at the Commission's offices, 1200 West Washington Street, Room 100, Phoenix, Arizona.

IT IS FURTHER ORDERED that the Commission's Utilities Division shall attend the procedural conference and shall be prepared to address the legal issues raised by the pleadings.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the Rules of Arizona Supreme Court). Representation before the Commission includes appearances at all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled for discussion, unless counsel has previously been granted permission to withdraw by the Administrative Law Judge or the Commission.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

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2 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
3 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
4 hearing.

5 DATED this 20<sup>th</sup> day of May, 2010.

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TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 20<sup>th</sup> day of May, 2010 to:

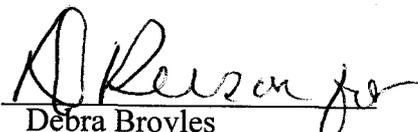
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By:   
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