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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission

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SEP 8 2010

COMMISSIONERS

KRISTIN K. MAYES, CHAIRMAN

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

2010 SEP -8 P 3:46

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

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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-05-0719

NAVOPACHE ELECTRIC
COOPERATIVE, INC.'S MOTION TO
CORRECT CLERICAL MISTAKE, OR
ALTERNATIVELY, MOTION TO
AMEND DECISION NO. 71859

Navopache Electric Cooperative, Inc. ("Navopache"), by and through its counsel undersigned, pursuant to A.A.C. R-14-3-101(A) and Rule 60(a), A.R.C.P. files this motion to correct a clerical mistake in Decision No. 71859, or, in the alternative, to reconsider and amend Decision No. 71859 pursuant to A.R.S. § 40-252 and/or A.A.C. R-14-3-111 and A.R.S. § 40-253.

At the Open Meeting on August 24, 2010 the Arizona Corporation Commission ("Commission") adopted Staff Proposed Revised Amendment No. 1 to the Staff's proposed Order amending Decision No. 68691. The amendment, among other things, extended the time for Navopache to install a permanent oil containment structure from 12/31/10 to 12/31/11. However, while adding an ordering paragraph to extend the time, it inadvertently failed to delete the pre-existing deadline. As a result, the Decision, as issued has two ordering paragraphs – one with the 12/31/10 deadline and the other with the 12/31/11 deadline. This is

1 clearly a clerical mistake in the Staff Proposed Revised Amendment No. 1 which in turn was
2 carried through to Decision No. 71859.

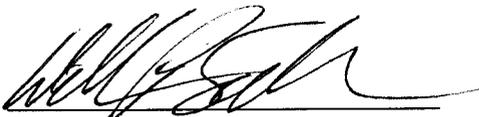
3 Rule 60(a), A.R.C.P. permits mistakes in orders arising from oversight or
4 omission to be corrected at any time. Navopache respectfully requests the Commission
5 correct the foregoing oversight by re-issuing Decision No. 71859 deleting the duplicative
6 ordering paragraph found at Page 5, lines 15-17.

7 Alternatively, Navopache requests the Commission exercise its authority
8 pursuant to A.R.S. §§ 40-252 and/or 40-253 and issue a new decision amending Decision No.
9 71859 deleting the duplicative ordering paragraph found at Page 5, lines 15-17.

10 Staff and IBEW have authorized Navopache to represent that they support
11 this Motion.

12 RESPECTFULLY SUBMITTED this 8th day of September, 2010.

13 CURTIS, GOODWIN, SULLIVAN
14 UDALL & SCHWAB, P.L.C.

15
16 By 
17 Michael A. Curtis
18 William P. Sullivan
19 501 East Thomas Road
20 Phoenix, Arizona 85012-3205
21 Attorneys for Navopache Electric
22 Cooperative, Inc.
23
24
25

PROOF OF AND CERTIFICATE OF MAILING

1
2 I hereby certify that on this 8th day of September, 2010, I caused the foregoing
3 document to be served on the Arizona Corporation Commission by delivering the original and
thirteen (13) copies of the above to:

4 DOCKET CONTROL
Arizona Corporation Commission
5 1200 West Washington Street
Phoenix, Arizona 85007

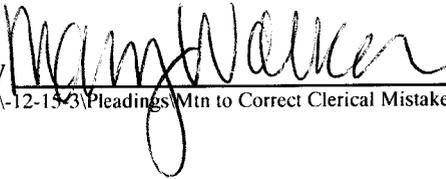
6
7 With a copy emailed this
8 day of September, 2010 to:

8 Yvette B. Kinsey, Administrative Law Judge
9 Hearing Division
Arizona Corporation Commission
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Phoenix, Arizona 85007

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12 Janice Alward, Esq.
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109-12-15-3 Pleadings Mtn to Correct Clerical Mistake 09 07 10