

ORIGINAL



0000120858

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

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

2010 DEC 16 P 12:56

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DEC 16 2010

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
TUCSON ELECTRIC POWER COMPANY
FOR APPROVAL OF ITS 2011 RENEWABLE
ENERGY STANDARD IMPLEMENTATION
PLAN AND DISTRIBUTED ENERGY
ADMINISTRATIVE PLAN AND REQUEST
FOR RESET OF RENEWABLE ENERGY
ADJUSTOR.

DOCKET NO. E-01933A-10-0266

**STAFF'S REQUEST FOR PROCEDURAL
ORDER NUNC PRO TUNC**

At the Open Meeting convened on November 22 and 23, 2010, the Arizona Corporation Commission ("Commission") deliberated the recommended opinion and order docketed in this matter. Among the issues that the Commission discussed was a proposed amendment to the recommended order, Newman Proposed Amendment No. 6 (the "Amendment"). Among other things, the Amendment dealt with adjusting the relative contributions of various customer classes toward funding the commercial performance-based renewable budget. During the Commission's discussion of the matter, Commissioner Newman withdrew the Amendment. Nov. 23, 2010 Open Meeting Transcript at 105.

Despite the withdrawal of the Amendment, the final conformed version of the recommended order that the Commission signed incorporated the language of the Amendment as though it had been adopted. The provisions of the Amendment are in Decision No. 72033 (December 10, 2010) at page 18:1-14 (Findings of Fact 67 - 69), and in the two ordering paragraphs found at page 20:22-26. Based upon the record of the Open Meeting, it is clear that the inclusion of this language in the signed order is the result of clerical inadvertency and the language from the Amendment should be removed from the order.

...
...

1 Therefore, Staff requests a procedural order removing, nunc pro tunc, Findings of Fact 67, 68,
2 and 69 at page 18:1-14, and the two ordering paragraphs at page 20:22-26.

3 RESPECTFULLY SUBMITTED this 16th day of December, 2010.

4
5 

6 Charles H. Hains
7 Attorney, Legal Division
8 Arizona Corporation Commission
9 1200 West Washington Street
10 Phoenix, Arizona 85007
11 (602) 542-3402

12 **Original and thirteen (13) copies**
13 **of the foregoing filed this**
14 **16th day of December, 2010, with:**

15 Docket Control
16 Arizona Corporation Commission
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19 **Copy of the foregoing mailed this**
20 **16th day of December, 2010, to:**

21 Bradley Carroll
22 SNELL & WILMER
23 One Arizona Center
24 400 East Van Buren Street
25 Phoenix, Arizona 85004

26 C. Webb Crockett
27 Patrick J. Black
28 FENNEMORE CRAIG, PC
3003 North Central Avenue, Ste. 2600
Phoenix, Arizona 85012-2913

Michael W. Patten
ROSHKA DeWULF & PATTEN, PLC
One Arizona Center
400 East Van Buren Street, Ste. 800
Phoenix, Arizona 85004

Philip Dion
Melody Gilkey
Tucson Electric Power Company
One South Church Avenue, Ste. 200
Tucson, Arizona 85701-1623

1 Scott Wakefield
2 RIDENOUR, HIENTON & LEWIS, PLLC
3 201 North Central Avenue, Ste. 3300
Phoenix, Arizona 85004-1052

4 Court Rich
5 M. Ryan Hurley
6 ROSE LAW GROUP
7 6613 North Scottsdale Road, Ste. 200
8 Scottsdale, Arizona 85250

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
