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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

GARY PIERCE, Chairman
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BRENDA BURNS

2011 FEB -2 P 3:11

FEB 2 2011

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE APPLICATION OF HEART CAB CO., INC. DBA SULGER WATER COMPANY #2 FOR A PERMANENT RATE INCREASE.

DOCKET NO. W-02355A-09-0275

IN THE MATTER OF THE APPLICATION OF HEART CAB CO., INC. DBA SULGER WATER COMPANY #2 FOR APPROVAL OF FINANCING.

DOCKET NO. W-02355A-10-0330

STAFF'S REQUEST TO AMEND DECISION 72052 NUNC PRO TUNC

On January 6, 2011, the Commission issued Decision No. 72052 authorizing rates for Heart Cab Co., d/b/a Sulger Water Company #2 ("Sulger" or "Company"). The Arizona Corporation Commission, Utilities Division Staff ("Staff") hereby moves for an order amending Decision No. 72052 *Nunc Pro Tunc* to reflect the correct deferred payment charge of 18% per annum (or 1.5% per month).

It has recently come to Staff's attention that Decision No. 72052 ("Decision") contains a typographical error. On page 4, line 13.5, the Decision states that Staff recommended a deferred payment charge of 18% *per month*. However, Staff recommended in the Staff Report, Schedule JMM-4, a deferred payment charge of 18% *per annum* (or 1.5% per month). Because the Decision states that the Commission adopts Staff's recommended rates and charges, it appears that the deferred payment charge of 18% per month as expressed in Decision No. 72052 is an inadvertent typographical error and should read 18% per annum (or 1.5% per month). Therefore, Staff recommends a correction of Decision No. 72052 *Nunc Pro Tunc* pursuant to Rule of Civil Procedure, Rule 58 to reflect a deferred payment charge of 18% per annum (or 1.5% per month).

Staff counsel has conferred with the Company, and the Company is in agreement with Staff's proposed changes.

1 RESPECTFULLY SUBMITTED this 2nd day of February, 2011.
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13 Original and thirteen (13) copies
14 of the foregoing were filed this
15 2nd day of February, 2011 with:

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

20 Copies of the foregoing were mailed
21 this 2nd day of February, 2011 to:

22 Valerie Betts, President
23 HEART CAB CO., INC.
24 DBA SULGER WATER COMPANY #3
25 1380 West Caroline Lane
26 Tempe, Arizona 85284
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