

ORIGINAL

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BEFORE THE ARIZONA CORPORATION

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Arizona Corporation Commission

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JUL 09 2012

COMMISSIONERS

GARY PIERCE, CHAIRMAN 2012 JUL -9 P 3:41

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ARIZONA CORPORATION COMMISSION
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JM

IN THE MATTER OF THE
APPLICATION OF NAVOPACHE
ELECTRIC COOPERATIVE, INC., AN
ELECTRIC COOPERATIVE NONPROFIT
MEMBERSHIP CORPORATION, FOR A
DETERMINATION OF THE FAIR
VALUE OF ITS PROPERTY FOR
RATEMAKING PURPOSES, TO FIX A
JUST AND REASONABLE RETURN
THEREON AND TO APPROVE RATES
DESIGNED TO DEVELOP SUCH
RETURN.

DOCKET NO. E-01787A-11-0186

**NAVOPACHE ELECTRIC
COOPERATIVE INC.'S REQUEST FOR
CORRECTION TO RECOMMENDED
OPINION AND ORDER**

Navopache Electric Cooperative, Inc. ("NEC"), pursuant to A.A.C. R14-3-110 (B) and the June 29, 2012 transmittal letter, respectfully requests the following corrections be made to the Recommended Opinion and Order ("ROO") docketed in this matter June 29, 2012 before it is finally adopted by the Arizona Corporation Commission:

1. On page 3, line 10 (item 19): change "February 1, 2011" to "February 1, 2012;"
2. On page 12, line 3 (item 64) and page 14, line 18: change "12 months" to "6 months."

Navopache believes these are typographical errors. The first merely corrects a filing date. The Second conforms a notice requirement to the group eligible for grandfathered

1 treatment of the existing line extension policy. The ROO correctly reflects the evidence and
2 the recommendations of both Staff and Navopache when it finds:

3 It is just and reasonable and in the public interest to require
4 Navopache to honor written line extension estimates provided by
5 Navopache within six months preceding the date of this
6 Decision, provided that the prospective customer proceeds with
7 construction of the line extension either within six months of the
8 date of the estimate, or within 90 days of this Decision,
9 whichever period of time is the greater. (ROO at p. 12, lines 9-
10 13, emphasis added)

11 However, in the next paragraph the ROO requires notice to be given “to
12 prospective customers to whom it has provided written line extension estimates within 12
13 months preceding this Decision.” (ROO at p. 12, lines 15-16, emphasis added) This same
14 lack of symmetry is reflected in the fourth and fifth Ordering Paragraphs on page 14 of the
15 ROO. It makes no sense to provide notice to prospective customers receiving written line
16 extension estimates beyond the 6 month period for which the line extension estimate must be
17 honored. To do so would only cause confusion. For this reason, Navopache believes the
18 references to the longer (12 month) period was inadvertent and a typographical error.

19 Navopache therefore respectfully requests the foregoing corrections be made
20 before the ROO is adopted as the final Decision of the Commission. Both Staff and IBEW
21 Local No. 387 concur in this request.

22 Navopache extends its thanks to Commission Staff and to IBEW Local No. 387
23 for their cooperation in working through the various contested issues presented in this matter.
24 While no settlement was reached, the parties ultimately were able to jointly recommend
25 resolutions to all contested issues.

1 DATED this 9th day of July, 2012.

2
3 CURTIS, GOODWIN, SULLIVAN,
UDALL & SCHWAB, P.L.C.

4
5 By: 

6 Michael A. Curtis
7 William P. Sullivan
8 501 East Thomas Road
9 Phoenix, Arizona 85012-3205
Attorneys for Navopache Electric
Cooperative, Inc.

10
11 PROOF OF AND CERTIFICATE OF MAILING

12 I hereby certify that on this 9th day of July, 2012, I caused the foregoing
13 document, with attachments, to be served on the Arizona Corporation Commission by
14 delivering the original and thirteen (13) copies of the above to:

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

18 With a copy of the foregoing e-mailed
19 this 9th day of July, 2012 to:

20 Scott Hesla, Esq.
shesla@azcc.gov

21 Steve Olea
22 solea.azcc.gov

23 Nicholas J. Enoch, Esq.
24 nicholas.enoch@azbar.org
Attorneys for IBEW Local 387

25 With a copy of the foregoing mailed
this 9th day of July, 2012 to:

Nicholas J. Enoch, Esq.
Lubin & Enoch, P.C.
349 N. Fourth Avenue
Phoenix, Arizona 85003
Attorneys for IBEW Local 387

