

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 GARY PIERCE
CHAIRMAN

3 BOB STUMP
COMMISSIONER

4 SANDRA D. KENNEDY
COMMISSIONER

5 PAUL NEWMAN
COMMISSIONER

6 BRENDA BURNS
COMMISSIONER

7
8 IN THE MATTER OF THE APPLICATION OF
9 ARIZONA-AMERICAN WATER COMPANY
10 FOR A WAIVER UNDER A.A.C. R14-2-806
OR, IN THE ALTERNATIVE, NOTICE OF
INTENT TO REORGANIZE UNDER A.A.C.
R-14-2-803.

Docket No. W-01303A-11-0101

11
12 **RUCO'S APPLICATION TO INTERVENE**

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14 I.

15 The RESIDENTIAL UTILITY CONSUMER OFFICE ("RUCO") hereby applies to the
16 Arizona Corporation Commission ("Commission") for an Order granting it leave to intervene in
17 the above-captioned proceeding.

18 II.

19 RUCO was established by the enactment of Arizona Revised Statutes, Section 40-461,
20 *et seq.*, for the purpose of representing residential utility consumers in matters before the
21 Commission concerning regulated public service corporations.
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III.

Arizona Revised Statutes, Section 40-464.A.2., specifically provides that the Director of RUCO may do the following:

Prepare and present briefs, arguments, proposed rates or orders and intervene or appear on behalf of residential utility consumers before hearing officers and the Corporation Commission as a party in interest and also participate as a party in interest pursuant to Section 40-254 in proceedings relating to rate making or rate design and involving public service corporations.

IV.

The residential utility consumers will be directly and substantially affected by a Decision or Order of the Commission in this matter, therefore, it is necessary and proper that RUCO intervene in the proceeding.

V.

In order to fulfill its statutory obligation to protect the residential utility consumers of this State, RUCO must thoroughly examine the materials presented by the Company, and must cross-examine witnesses appearing on behalf of the Company and any other parties. Additionally, RUCO may present testimony and exhibits of its own in any hearings conducted by the Commission in this matter.

VI.

The name, mailing address, and telephone number of the person upon whom service of all documents is to be made is:

1 Daniel W. Pozefsky
2 Chief Counsel
3 Residential Utility Consumer Office
4 1110 West Washington, Suite 220
5 Phoenix, Arizona 85007
6 (602) 364-4839

7 RESPECTFULLY SUBMITTED this 4th day of March, 2011

8 _____/s/
9 Daniel W. Pozefsky
10 Chief Counsel

11 AN ORIGINAL AND THIRTEEN COPIES
12 of the foregoing filed this 4th day
13 of March, 2011 with:

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

18 COPIES of the foregoing hand delivered/
19 mailed this 4th day of March, 2011 to:

20 Lyn Farmer
21 Chief Administrative Law Judge
22 Hearing Division
23 Arizona Corporation Commission
24 1200 West Washington
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By _____/s/
Ernestine Gamble