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Arizona Corporation Commission

DOCKETED

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Phoenix, Arizona 85016
(602) 264-1876

BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED BY ARIZONA CORPORATION COMMISSION DOCUMENT CONTROL

IN THE MATTER OF THE JOINT APPLICATION BETWEEN CITIZENS UTILITIES COMPANY, INC. AND CAP ROCK ENERGY CORPORATION FOR THE APPROVAL OF THE SALE OF CERTAIN ELECTRIC UTILITY PROPERTIES IN ARIZONA AND THE TRANSFER OF THE CERTIFICATE OF CONVENIENCE AND NECESSITY FROM CITIZENS AND THE ARIZONA ELECTRIC DIVISION TO CAP ROCK ENERGY.

Docket Nos. E-01032A-00-1063
E-01032B-00-0163
E-01032C-00-1063 &
E-03851A-00-0163

IBEW LOCAL 769'S APPLICATION TO INTERVENE

Pursuant to the provisions of A.A.C. R14-3-105(A), International Brotherhood of Electrical Workers, Local Union 769, AFL-CIO ("IBEW Local 769"), hereby moves the Administrative Law Judge for an Order permitting it to intervene into these proceedings.

IBEW Local 769 is "directly and substantially affected by the proceedings," *id.*, inasmuch as it is "the exclusive representative of [a group of] employees of Citizens Communications Company, Mohave County Electric Operations, formerly known as Citizens Utilities Company, Mohave County, Electric Operations[.]" *See*, attached Exhibit, p. 2. *Accord*, Transcript of Proceedings from September 6, 2000 Public Hearing, pp. 3-4.

Moreover, IBEW Local 769 is the duly elected and recognized exclusive bargaining representative of a large group of employees of Southwest Gas Corporation which, by Procedural Order dated May 22, 2000, has already been granted intervention into these proceedings. Thus, IBEW Local 769 shares many of the same concerns as expressed by Southwest Gas in its May 9, 2000 Application.

WHEREFORE, it is respectfully requested that IBEW Local 769 be permitted to intervene in the above-captioned matter as an interested party.

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1 Respectfully submitted this 10th day of October, 2000.

2 IBEW Local 769

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5 Joel Bell
Business Manager & Financial Secretary

6 Original and ten (10) copies
7 of IBEW Local 769's Application
8 to Intervene filed this 10th day
9 of October, 2000, with:

10 Arizona Corporation Commission
11 Docket Control Center
12 1200 West Washington Street
13 Phoenix, Arizona 85007-2996

14 Copies mailed this same date to:

15 Jerry L. Rudibaugh, Chief Hearing Officer
16 Hearing Division
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19 Phoenix, Arizona 85007

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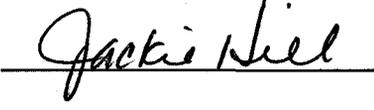
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16 Southwest Gas Corporation
17 5241 Spring Mountain Road
18 Las Vegas, Nevada 89102
19 Attorney for Intervenor

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AGREEMENT

Between

**THE INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS
IBEW LOCAL UNION 769**

And

**CITIZENS COMMUNICATIONS COMPANY,
MOHAVE COUNTY ELECTRIC OPERATIONS**

Formerly known as

**CITIZENS UTILITIES COMPANY,
MOHAVE COUNTY ELECTRIC OPERATIONS**

Covering Electric Operations Employees



JUNE 25, 2000

Certified in NLRB Case No. 28-RC-1262

AGREEMENT

THIS AGREEMENT is entered into this 25th day of June, 2000 by and between the Mohave County Electric Operations of Citizens Communications Company, formerly known as the Mohave County Electric Operations of Citizens Utilities Company, a Delaware corporation, hereinafter referred to as "Company", and Local Union 769, International Brotherhood of Electrical Workers, affiliated with the AFL-CIO, hereinafter referred to as "Union".

Whereas, the employees of the Company agree that they will, individually and collectively, perform loyal and efficient work and service for the Company, and that they will use their influence and best efforts to protect the property of the Company and its service to the public, and that they will cooperate in promoting and advancing the welfare of the Company, and the protection of its service to the public at all times.

Whereas, the parties hereto desire to facilitate the peaceful adjustment of differences that may from time to time arise between them to promote harmony and efficiency so that the Company, the Union and the general public may benefit therefrom, and to establish rates of pay, hours, and other conditions of employment for certain hereinafter designated employees of the Company, therefore, the parties hereto agree as follows:

ARTICLE 1 RECOGNITION

1.1 For the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment, the Company recognizes the Union as the exclusive representative of the employees of Citizens Communications Company, Mohave County Electric Operations, formerly known as Citizens Utilities Company, Mohave County, Electric Operations, who are employed in the classifications specified in Article 23, EXHIBIT "A", for whom the National Labor Relations Board certified the Union in Case No. 28-RC-1262, and where the term "Employee" or "Employees" is used in the Agreement, it refers only to individuals employed in those classifications.

1.2 Successors. This agreement shall be binding on any and all successors and assigns of the Company, whether by sale, transfer, merger, acquisition, consolidation, lease, receivership, bankruptcy or otherwise and whether the transfer be of the Company or of the Mohave County Electric Operations. The Company shall make it a condition of transfer that the successor assigns shall be bound by the terms of this Agreement. It is the intent of the parties that this Agreement shall remain in effect for its full term and bind the successor or assigns of the respective parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by affixing the signatures of their authorized representatives this 25th day of June, 2000.

Citizens Communications Company
Mohave County Electric Operations
formerly known as
Citizens Utilities Company,
Mohave Electric Division

International Brotherhood
of Electrical Workers
Local 769

BILL DEJULIO
Electric Operations Manager

JOEL D. BELL
Business Manager &
Financial Secretary