

**INTERVENTION  
ORIGINAL**



0000031361

**BEFORE THE ARIZONA CORPORATION COMMISSION**  
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AZ CORP COMMISSION  
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COMMISSIONER

7  
8 IN THE MATTER OF THE APPLICATION OF  
BLACK MOUNTAIN SEWER COMPANY, AN  
9 ARIZONA CORPORATION, FOR A  
10 DETERMINATION OF THE FAIR VALUE OF  
ITS UTILITY PLANT AND PROPERTY AND  
11 FOR INCREASES IN ITS RATES AND  
CHARGES FOR UTILITY SERVICE BASED  
THEREON.

Docket No. SW-02361A-05-0657

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

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  
17 intervene in the above-captioned proceeding.

18 II.

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

22 III.

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

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

8  
9  
10 IV.

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

14  
15 V.

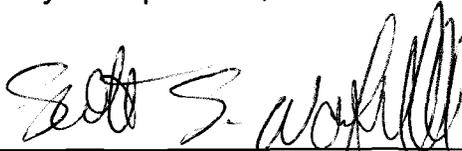
16 In order to fulfill its statutory obligation to protect the residential utility consumers of  
17 this State, RUCO must thoroughly examine the materials presented by the Company, and  
18 must cross-examine witnesses appearing on behalf of the Company and any other parties.  
19 Additionally, RUCO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

21  
22 VI.

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

Scott S. Wakefield  
Residential Utility Consumer Office  
1110 West Washington, Suite 220  
Phoenix, Arizona 85007  
(602) 364-4839

1 RESPECTFULLY SUBMITTED this 26th day of September, 2005.

2  
3   
4 Scott S. Wakefield  
5 Chief Counsel

6 AN ORIGINAL AND THIRTEEN COPIES  
7 of the foregoing filed this 26th day  
8 of September, 2005 with:

9 Docket Control  
10 Arizona Corporation Commission  
11 1200 West Washington  
12 Phoenix, Arizona 85007

13 COPIES of the foregoing hand delivered/  
14 mailed this 26th day of September, 2005 to:

15 Lyn Farmer  
16 Chief Administrative Law Judge  
17 Hearing Division  
18 Arizona Corporation Commission  
19 1200 West Washington  
20 Phoenix, Arizona 85007

21 Christopher Kempley, Chief Counsel  
22 Legal Division  
23 Arizona Corporation Commission  
24 1200 West Washington  
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Ernest Johnson, Director  
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By   
Ernestine Gamble  
Secretary to Scott Wakefield