

INTERVENTION  
ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2005 OCT -7 P 4: 36

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL AZ CORP COMMISSION  
JEFF HATCH-MILLER DOCUMENT CONTROL  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY  
FOR A HEARING TO DETERMINE THE  
FAIR VALUE OF THE UTILITY PROPERTY  
OF THE COMPANY FOR RATEMAKING  
PURPOSES, TO FIX A JUST AND  
REASONABLE RATE OF RETURN  
THEREON, TO APPROVE RATE  
SCHEDULES DESIGNED TO DEVELOP  
SUCH RETURN, AND FOR APPROVAL OF  
PURCHASED POWER CONTRACT

DOCKET NO. E-01345A-03-0437

IN THE MATTER OF THE APPLICATION  
OF ARIZONA PUBLIC SERVICE COMPANY  
FOR APPROVAL OF A POWER SUPPLY  
ADJUSTOR SURCHARGE

DOCKET NO. E-01345A-05-0526

**APPLICATION OF PHELPS  
DODGE MINING COMPANY AND  
ARIZONANS FOR ELECTRIC  
CHOICE AND COMPETITION  
FOR LEAVE TO INTERVENE**

Pursuant to A.A.C. R14-3-105, Phelps Dodge Mining Company ("Phelps Dodge") and Arizonans for Electric Choice and Competition ("AECC") hereby apply to the Arizona Corporation Commission (the "Commission") for an Order granting Phelps Dodge and AECC leave to intervene in the above-captioned consolidated proceeding.

Phelps Dodge maintains facilities and operations within the State of Arizona, which receive electric services from Arizona Public Service Company ("APS"). As a user of electric services provided by APS, Phelps Dodge will be directly and substantially affected by the decision of the Commission in this proceeding. The Commission should, therefore, grant Phelps Dodge leave to intervene in this matter.

AECC is a coalition of energy consumers, most of whom are also customers of

1 APS. The Commission should grant AECC leave to intervene in this matter because the  
2 members of AECC are customers of APS and are directly and substantially affected by  
3 this proceeding.

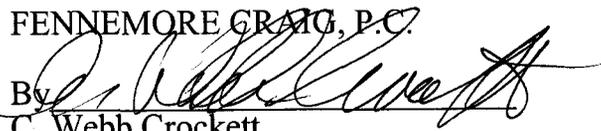
4 Neither Phelps Dodge's nor AECC's participation in this proceeding will broaden  
5 the issues nor unduly delay the proceeding, except upon leave of the Commission first had  
6 and received.

7 For the reasons outlined above, Phelps Dodge and AECC respectfully request that  
8 the Commission grant this Application for Leave to Intervene in this matter.

9 Phelps Dodge and AECC request that all communications in connection with the  
10 above-captioned proceeding be directed to:

11  
12 C. Webb Crockett  
13 Patrick J. Black  
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20 [wcrocket@fclaw.com](mailto:wcrocket@fclaw.com)

21 RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of October 2005.

22 FENNEMORE CRAIG, P.C.  
23 By   
24 C. Webb Crockett  
25 Patrick J. Black  
26 3003 N. Central Avenue, Ste. 2600  
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Attorneys for Phelps Dodge Mining Company and  
Arizonans for Electric Choice and Competition

1 ORIGINAL and 15 COPIES of the foregoing  
2 FILED this 7<sup>th</sup> day of October 2005 to:

3 Docket Control  
4 ARIZONA CORPORATION COMMISSION  
5 1200 West Washington  
6 Phoenix, Arizona 85007

7 COPY of the foregoing was HAND-DELIVERED/  
8 MAILED this 7<sup>th</sup> day of October 2005 to:

9 Lyn Farmer  
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