

INTERVENTION
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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
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

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
14 FENNEMORE CRAIG, P.C.
15 3003 North Central Avenue
16 Suite 2600
17 Phoenix, Arizona 85012-2913
18 (602) 916-5333
19 Fax: (602) 916-5533
20 wcrocket@fclaw.com

21 RESPECTFULLY SUBMITTED this 7th 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
Phoenix, AZ 85012-2913

Attorneys for Phelps Dodge Mining Company and
Arizonans for Electric Choice and Competition

1 **ORIGINAL and 15 COPIES** of the foregoing
2 **FILED** this 7th 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 7th day of October 2005 to:

9 Lyn Farmer
10 Chief Administrative Law Judge
11 Hearing Division
12 Arizona Corporation Commission
13 1200 West Washington
14 Phoenix, Arizona 85007

15 Thomas L. Mumaw
16 Karilee S. Ramaley
17 Pinnacle West Capital Corporation
18 P. O. Box 53999, MS 8695
19 Phoenix, Arizona 85072-3999

20 Kimberly Grouse
21 Snell & Wilmer
22 One Arizona Center
23 400 E. Van Buren Street
24 Phoenix, Arizona 85004-2202
25 *Attorneys for Arizona Public Service Company*

26 Major Allen G. Erickson
AFCES A/ULT
139 Barnes Drive, Suite 1
Tyndall AFB, Florida 32403-5319
Attorney for FEA

Michael L. Kurtz
Boehm, Kurtz & Lowry
36 East 7th Street, Ste. 2110
Cincinnati, Ohio 45202
Attorneys for Kroger Company

- 1 Scott Wakefield
RUCO
2 1110 West Washington St., Ste. 220
3 Phoenix, Arizona 85007
- 4 Walter W. Meek
AUIA
5 2100 North Central Ave., Ste. 210
6 Phoenix, Arizona 85067
- 7 Nicholas J. Enoch
8 Lubin & Enoch
349 North 4th Ave.
9 Phoenix, Arizona 85003
10 *Attorneys for IBEW*
- 11 Bill Murphy
Murphy Consulting
12 2422 East Palo Verde Drive
13 Phoenix, Arizona 85016
14 *Consultant for AZ Cogeneration Assn.*
- 15 Jay L. Shapiro
Patrick J. Black
16 Fennemore Craig
3003 North Central Ave., Ste. 2600
17 Phoenix, Arizona 85012
18 *Attorneys for Panda Gila River*
- 19 Robert W. Geake
Arizona Water Company
20 P. O. Box 29006
21 Phoenix, Arizona 85038-9006
- 22 Andrew W. Bettwy
23 Bridget A. Branigan
Southwest Gas Corporation
24 5241 Spring Mountain Road
25 Las Vegas, Nevada 89150
- 26

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Timothy M. Hogan
Arizona Center for Law in the
Public Interest
202 East McDowell Rd., Ste 153
Phoenix, Arizona 85004
*Attorneys for Western Resource Advocates and
Southwest Energy Efficiency Project*

Paul R. Michaud
Michaud Law Firm
23 Crimson Heights Road
Portland, CT 06480
Attorneys for Dome Valley Energy Partners, LLC

Marvin S. Cohen
Sacks Tierney, P.A.
4250 North Drinkwater Blvd.
4th Floor
Scottsdale, Arizona 85251-3693
Attorneys for Constellation Newenergy, Inc., Strategic Energy

Jeff Schlegel
SWEEP Arizona Representative
1167 West Samalayuca Drive
Tucson, Arizona 85704

Michael Patten
Laura Schoeler
Roshka, DeWulf & Patten
400 East Van Buren, Ste. 800
Phoenix, Arizona 85004
Attorneys for Unisource Energy Services

Unisource Energy Services
One South Church Street, Ste. 200
Tucson, Arizona 85702

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J. William Moore
1144 South Jefferson
Phoenix, Arizona 85034
Attorney for Kroger Co.

Cynthia Zwick
Arizona Community Action Assn.
2627 North 3rd St., Ste. 2
Phoenix, Arizona 85004

S. David Childers
Low & Childers
2999 North 44th Street, Ste. 250
Phoenix, Arizona 85018
Attorney for Arizona Competitive Power Alliance

James M. Van Nostrand
Katherine McDowell
George M. Galloway
Stoek Rives
900 SW 5th Ave., Ste. 2600
Portland, Oregon 97204
Attorneys for Arizona Competitive Power Alliance

Greg Patterson, Executive Director
Arizona Competitive Power Alliance
916 West Adams, Ste. 3
Phoenix, Arizona 85007

Michael A. Curtis
Martinez & Curtis, P.C.
2712 North 7th Street
Phoenix, Arizona 85006-1090
Attorneys for Town of Wickenburg

Rebecca C. Salisbury
56th Fighter Wing JA
7383 North Litchfield Road
Luke AFB, Arizona 85309-1540
Attorney for Federal Executive Agencies

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4
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Jon Poston
AARP Electric Rate Project
6733 East Dale Lane
Cave Creek, Arizona 85331

Coralette Hannon
AARP Department of State Affairs
6705 Reedy Creek Road
Charlotte, NC 28215

Lawrence V. Robertson
Munger Chadwick
333 North Wilmot, Ste. 300
Tucson, Arizona 85711
*Attorneys for Southwestern Power Group II, LLC,
Mesquite Power and Bowie Power Station*

Jay I. Moyes
Moyes Storey
1850 North Central Ave., Ste. 1100
Phoenix, Arizona 85004
*Attorneys for PPL Sundance, LLC and
PPL Southwest Generation Holdings, LLC*

Jesse A. Dillon
PPL Services Corporation
2 North 9th Street
Allentown, Pennsylvania 18101

Sean Seitz
ARISEIA
5056 South 40th Street, Suite C
Phoenix, Arizona 85040

Robert Annan
Annan Group
6605 East Evening Glow Drive
Phoenix, Arizona 85262

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24
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Douglas V. Fant
AZCOGEN Association
80 East Columbus
Phoenix, Arizona 85012

Christopher Kempley, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ernest G. Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

By: Mary Bollington