

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

2001 OCT 11 P 4: 05

WILLIAM A. MUNDELL
Chairman

AZ CORP COMMISSION
DOCUMENT CONTROL

JIM IRVIN
Commissioner

MARC SPITZER
Commissioner

IN THE MATTER OF THE APPLICATION OF
CITIZENS COMMUNICATIONS COMPANY,
AGUA FRIA DIVISION FOR (1) AN EXTENSION
OF THE AREA COVERED BY ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY, (2) APPROVAL OF THE
CATERPILLAR PROPERTY
WATER/WASTEWATER AGREEMENT, (3)
APPROVAL OF THE TARIFF FOR THE WATER
FACILITIES HOOK-UP FEE, (4) APPROVAL OF
THE TARIFF FOR GENERAL NON-POTABLE
WATER SERVICE, AND (5) APPROVAL OF RULE
NO. 12 APPLICABLE TO NON-POTABLE WATER
SERVICE

DOCKET NO. W-01032B-00-1043

Arizona Corporation Commission

DOCKETED

OCT 11 2001

DOCKETED BY	<i>rac</i>
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IN THE MATTER OF THE APPLICATION OF
CITIZENS WATER SERVICES COMPANY OF
ARIZONA FOR (1) AN EXTENSION OF THE
AREA COVERED BY ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY FOR WASTEWATER SERVICE, (2)
APPROVAL OF THE CATERPILLAR PROPERTY
WATER/WASTEWATER AGREEMENT, AND (3)
APPROVAL OF THE TARIFF FOR THE
WASTEWATER FACILITIES HOOK-UP FEE.

DOCKET NO. SW-03454A-00-1043

MOTION TO INTERVENE

The Caterpillar Foundation, an Illinois non-profit corporation ("CF"), by and through its counsel undersigned, hereby moves the Commission pursuant to A.A.C. R14-3-105 for leave to intervene in the above captioned proceeding. This motion is supported by the following facts and information:

Snell & Wilmer

LLP
LAW OFFICES
One Arizona Center, 400 E. Van Buren
Phoenix, Arizona 85004-2202
(602) 382-6000

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1 1. CF is the owner of approximately 8,635 acres of land (the "Property") in
2 Buckeye, Arizona, adjacent to the White Tank Mountains. The Property is covered by the joint
3 application of Citizens Communications Company, Agua Fria Division, and Citizens Water
4 Service Company of Arizona (collectively, "Citizens") to extend their respective Certificates of
5 Convenience and Necessity ("CC&N") to include the Property.

6 2. CF has an agreement with DMB White Tank, L.L.C. ("DMB") under which
7 DMB will purchase the Property from CF, subject to certain conditions precedent, and will
8 develop the Property. DMB has requested that Citizens extend water and wastewater utility
9 service to DMB's planned development known as Whitestone, which is contiguous to the
10 existing CC&N of Citizens Agua Fria Division.

11 3. As the owner of the Property, CF is directly and substantially affected by the
12 decision of the Commission in these proceedings.

13 4. The granting of intervenor status to CF will not delay the proceedings or cause
14 the issues to be unduly broadened.

15 5. Copies of all notices, exhibits, pleadings and orders in this proceeding should be
16 sent to:

17 Jeffrey W. Crockett, Esq.
18 SNELL & WILMER
19 One Arizona Center
20 Phoenix, Arizona 85004-2202
21 Phone: (602) 382-6234
22 Facsimile: (602) 382-6234
23 E-mail: jcrockett@swlaw.com

24 WHEREFORE, in view of the foregoing, CF respectfully requests that the Commission
25 grant CF's request for leave to intervene in the above-captioned proceeding, and that CF be
26 accorded the full status of an intervenor under the Commission's Rules and Regulations.

1 RESPECTFULLY SUBMITTED this 11th day of October, 2001.

2 SNELL & WILMER

3
4 By 
5 Jeffrey W. Crockett
6 One Arizona Center
7 Phoenix, Arizona 85004-2202
8 Attorneys for the Caterpillar Foundation

9 ORIGINAL and 10 copies filed this
10 11th day of October, 2001, with:

11 Docket Control
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington
14 Phoenix, AZ

15 COPY of the foregoing hand-delivered
16 this 11th day of October, 2001, to:

17 William A. Mundell, Chairman
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington
20 Phoenix, Arizona 85007

21 Jim Irvin, Commissioner
22 ARIZONA CORPORATION COMMISSION
23 1200 West Washington
24 Phoenix, Arizona 85007

25 Marc Spitzer, Commissioner
26 ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona 85007

Dwight Nodes, Hearing Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Janet Wagner, Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ

1 Steve Olea, Acting Director
Utilities Division
2 ARIZONA CORPORATION COMMISSION
1200 West Washington
3 Phoenix, AZ

4 Jim Fisher, Utilities Division
ARIZONA CORPORATION COMMISSION
5 1200 West Washington Street
Phoenix, Arizona 85007

6 COPY of the foregoing mailed this
7 11th day of October, 2001, to:

8 Todd C. Wiley
GALLAGHER & KENNEDY
9 2575 East Camelback Road
Phoenix, AZ 85016-9225
10 Attorneys for Citizens Communications Company

11 Timothy Berg, Esq.
Norm D. James, Esq.
12 FENNEMORE CRAIG, P.C.
3003 North Central Avenue
13 Suite 2600
Phoenix, Arizona 85012-2913

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