



Arizona Utility Investors Association

2100 N. Central, Ste. 210  
P.O. Box 34805  
Phoenix, AZ 85067

Tel: (602) 257-9200  
Fax: (602) 254-4300

Email: info@auia.org  
Web Site: www.auia.org

ORIGINAL  
BEFORE THE ARIZONA CORPORATION



WILLIAM A. MUNDELL  
CHAIRMAN  
JAMES M. IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

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2001 AUG -2 P 3:02

IN THE MATTER OF THE JOINT APPLICATION  
OF SUN CITY WATER COMPANY AND SUN  
CITY WEST UTILITIES COMPANY FOR APPROVAL )  
OF CENTRAL ARIZONA PROJECT WATER UTIL- )  
IZATION PLAN AND FOR AN ACCOUNTING ORDER )  
AUTHORIZING A GROUNDWATER SAVINGS FEE )  
AND RECOVERY OF DEFERRED CENTRAL ARIZONA )  
PROJECT EXPENSES. )

AZ CORP COMMISSION  
DOCUMENT CONTROL  
W-01656A-98-0577  
SW-02334A-98-0577

AUIA'S MOTION TO STRIKE

The ARIZONA UTILITY INVESTORS ASSOCIATION, INC. (AUIA) hereby supports the motion of Sun City Water Company and Sun City West Utilities Company (Citizens) to strike portions of Dennis Husted's direct testimony filed on behalf of the Sun City Taxpayers Association (SCTA) and the supplemental testimony of Marylee Diaz Cortez on behalf of the Residential Utility Consumers Office (RUCO).

Specifically, AUIA moves to strike ¶¶ II, III (Page 6, Lines 13-15), IV, VI, VII, VIII, IX and XVI of Mr. Husted's testimony and all of Ms. Cortez's testimony.

AUIA hereby adopts the entirety of Citizens' Motion and the arguments therein and incorporates each and every paragraph as if fully set forth herein. In addition, AUIA offers the following comment:

Through Mr. Husted's testimony, SCTA continues its strategy of attempting to relitigate issues that have been decided by the Commission in Decision Nos. 60172 and 62293 and thus extending this proceeding endlessly.

Mr. Husted exposes SCTA's intent in the first substantive paragraph of his testimony when he says, on Page 2, at Line 23:

Arizona Corporation Commission  
DOCKETED

AUG 02 2001

DOCKETED BY  
*[Signature]*

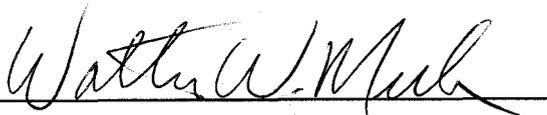
"Unfortunately, the PER reflects a very narrow focus and attempts to justify Citizens' existing proposal rather than identify and design a plan that will maximize benefits to the aquifer underlying the Sun Cities at the least cost to Citizens' ratepayers."

The record of this proceeding is filled with previous acknowledgments, by the CAP Task Force, Citizens and the Commission, that the Groundwater Savings Project (GSP) is not the least cost option for utilizing CAP water.

Yet, SCTA continues to propound arguments, under the guise of analyzing the PER, that require the GSP to be tested against other options that were studied, considered and rejected in this proceeding. RUCO, by repeating its often-stated concern over rate effects, is cooperating with SCTA's strategy.

AUIA urges the Administrative Law Judge to limit the issues in this proceeding to conform to the Commission's remand directive and to strike the previously cited portions of SCTA's testimony and all of RUCO's testimony.

Respectfully submitted, this 2nd day of August 2001.

  
Walter W. Meek, President

#### **CERTIFICATE OF SERVICE**

An original and ten copies  
of the foregoing Motion  
filed this 2<sup>nd</sup> day of August, 2001, with:

Docket Control  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

Copies of the foregoing Motion  
hand delivered this 2<sup>nd</sup> day of August 2001, to:

Jane Rodda, Hearing Division  
Janet Wagner, Legal Division  
Deborah Scott, Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007

Copies of the foregoing Motion mailed  
or faxed this 2<sup>nd</sup> day of August, 2001, to:

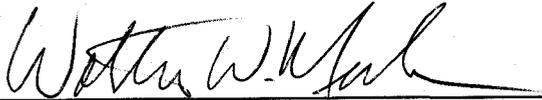
Ray Jones  
General Manager  
Sun City Water Company  
P.O. Box 1687  
Sun City, AZ 85372

William P. Sullivan  
Martinez & Curtis  
2712 N. Seventh St.  
Phoenix, AZ 85006-1090

William G. Beyer, Esq.  
5632 W. Alameda Road  
Glendale, AZ 85310

Todd C. Wiley, Esq.  
Gallagher & Kennedy  
2575 E. Camelback Road  
Phoenix, AZ 85016

Scott Wakefield, Chief Counsel  
RUCO  
2828 N. Central Ave., Ste. 1200  
Phoenix, AZ 85004



Walter W. Meek