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Commissioner

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Commissioner

E-01933A-02-0914

IN THE MATTER OF THE APPLICATION)
OF THE ARIZONA ELECTRIC DIVISION)
OF CITIZENS COMMUNICATIONS)
COMPANY TO CHANGE THE CURRENT)
PURCHASED POWER AND FUEL)
ADJUSTMENT CLAUSE RATE, TO)
ESTABLISH A NEW PURCHASED)
POWER AND FUEL ADJUSTMENT)
CLAUSE BANK, AND TO REQUEST)
APPROVED GUIDELINES FOR THE)
RECOVERY OF COSTS INCURRED IN)
CONNECTION WITH THE ENERGY)
RISK MANAGEMENT INITIATIVES.)

DOCKET NO. E-01032C-00-0751

IN THE MATTER OF THE APPLICATION)
OF CITIZENS COMMUNICATIONS)
COMPANY, ARIZONA GAS DIVISION,)
FOR A HEARING TO DETERMINE THE)
FAIR VALUE OF ITS PROPERTIES FOR)
RATEMAKING PURPOSES, TO FIX A)
JUST AND REASONABLE RATE OF)
RETURN THEREON, AND TO APPROVE)
RATE SCHEDULES DESIGNED TO)
PROVED SUCH RATE OF RETURN.)

DOCKET NO. G-01032C-02-0598

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IN THE MATTER OF THE JOINT
APPLICATION OF CITIZENS
COMMUNICATIONS COMPANY AND
UNISOURCE ENERGY CORPORATION
FOR THE APPROVAL OF THE SALE OF
CERTAIN ELECTRIC UTILITY AND
GAS UTILITY ASSETS IN ARIZONA,
THE TRANSFER OF CERTAIN
CERTIFICATES OF CONVENIENCE
AND NECESSITY FROM CITIZENS
COMMUNICATIONS COMPANY TO
UNISOURCE ENERGY CORPORATION,
THE APPROVAL OF THE FINANCING
FOR THE TRANSACTIONS AND OTHER
RELATED MATTERS.

DOCKET NO. E-01933A-02-0914
DOCKET NO. E-01032C-02-0914
DOCKET NO. G-01032A-02-0914

10 **RESPONSE TO APPLICATION FOR LEAVE TO INTERVENE**

11 UniSource Energy Corporation, on behalf of itself, Tucson Electric Power
12 Company and UniSource's designated affiliate or affiliates, and Citizens Communications
13 Company (collectively, "Joint Applicants") submit this Response to the Application for
14 Leave to Intervene filed by Southwest Gas Corporation ("Southwest").

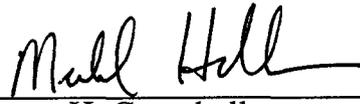
15 Joint Applicants strongly believe that all parties with a sufficient interest to
16 meet the standards of A.A.C. R14-3-105 should be granted intervention in this matter.
17 However, Southwest has not stated such an interest in its Application for Leave to
18 Intervene. Instead, Southwest relies upon its interest in "Commission policies and
19 precedent regarding the acquisition and sale of utility assets, such as ratemaking treatment
20 in particular" as its sole reason for intervention.

21 Although Joint Applicants understand Southwest's need to monitor this
22 proceeding and would be willing to provide Southwest with copies of all public filings in
23 this docket to ease the burden of doing so, the stated basis for intervention does not
24 provide Southwest with a direct and substantial interest in this proceeding. *See* A.A.C.
25 R14-3-105.A. Accordingly, a formal intervention by Southwest could unduly broaden the
26 issues in this proceeding and could lead to unwarranted delays. *See* A.A.C. R14-3-105.B.

1 For the foregoing reasons, Southwest's Application for Leave to Intervene
2 should be denied.

3
4 DATED this 22nd day of January, 2003.

5 LEWIS AND ROCA LLP

6
7 By 

8 Thomas H. Campbell
9 Michael T. Hallam
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11 Phoenix, Arizona 85004
12 Attorneys for Joint Applicants

13 ORIGINAL AND twenty-one (21) copies
14 of the foregoing hand-delivered
15 this 22nd day of January, 2003, to:

16 Arizona Corporation Commission
17 Utilities Division – Docket Control
18 1200 W. Washington Street
19 Phoenix, Arizona 85007

20 COPY of the foregoing hand-delivered
21 this 22nd day of January, 2003, to:

22 Jason Gellman
23 Lisa A. Vandenberg
24 Legal Division
25 Arizona Corporation Commission
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Phoenix, Arizona 85007

Dwight D. Nodes
Assistant Chief Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
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1 COPY of the foregoing sent by mail
2 this 22nd day of January, 2003,
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