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BEFORE THE ARIZONA CORPORATION COMMISSION

8 RAYMOND R. PUGEL AND JULIE B.
 9 PUGEL AS TRUSTEES OF THE
 10 RAYMOND R. PUGEL AND JULIE B.
 11 PUGEL FAMILY TRUST, and ROBERT
 RANDALL AND SALLY RANDALL

DOCKET NO: W-03512A-06-0407

12 Complainant,
13 v.

14 PINE WATER COMPANY, an Arizona
15 Corporation,

16 Respondent.

17 ASSET TRUST MANAGEMENT, CORP.,

DOCKET NO: W-03512A-06-0613

18 Complainant,
19 v.

20 PINE WATER COMPANY, an Arizona
21 Corporation,

RESPONSE TO HALL, HANEY AND
CASSARO MOTIONS TO INTERVENE

22 Respondent.
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Arizona Corporation Commission

1 Pine Water Company ("PWCo") hereby responds to the separate Motions to
2 Intervene filed by William F. Haney, P.E., Barbara Hall, and Robert M. Cassaro,
3 (collectively "Customer Intervenors"). Each of the motions should be denied because
4 none of the Customer Intervenors have established that they will be directly or
5 substantially affected by these proceedings.

6 The only basis for intervention offered by each of the Customer Intervenors is that
7 they are customers. This case is an action by three private landowners asking that their
8 properties be deleted from PWCo's CC&N. The Customer Intervenors do not allege any
9 interest in the property rights of the Complainants, nor that the Commission's decision
10 will impact them, beyond the fact that they are ratepayers of the Company. This is not a
11 rate case, financing application, or CC&N extension. Being a customer is insufficient
12 basis to become a party in an action by private property owners to have their property
13 deleted.

14 If the Customer Intervenors have comments on the application for deletion or
15 concerning the Company, they will be afforded ample opportunity to make public
16 comment. If they have factual information to present as evidence, the Complainants are
17 free to call one or more of the Customer Intervenors as witnesses. But party status is
18 inappropriate on the mere claim of being a "customer". This case is complicated enough
19 with three parties and at least one more seeking to join.¹ The door should not be opened
20 to nearly 2000 more customer-intervenors.

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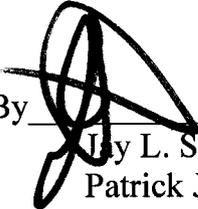
24 ...

25 ¹ Counsel for the Company, Complainants and Staff have agreed with counsel for Intervenors Jim and Sioux Hill that
26 if they withdraw their Motion to Intervene and file a complaint, no one would oppose consolidation. The Hills have
property in PWCo's CC&N that they would like deleted, in contrast to each of the Customer Intervenors.

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RESPECTFULLY SUBMITTED this 14th day of February, 2007.

FENNEMORE CRAIG, P.C.

By  _____
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ORIGINAL and ^{fifteen (15)} ~~thirteen (13)~~ copies of the
foregoing filed this 14th day of February, 2007:

Docket Control
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1200 W. Washington St.
Phoenix, AZ 85007

Copy of the foregoing hand delivered
this 14th day of February, 2007:

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