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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

MIKE GLEASON – Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

Arizona Corporation Commission  
**DOCKETED**  
AUG 03 2007

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AZ CORP COMMISSION  
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IN THE MATTER OF THE CONSIDERATION,  
PURSUANT TO A.R.S. § 40-252, TO MODIFY  
DECISION NO. 67744 RELATING TO THE  
SELF-BUILD OPTION.

Docket No. E-01345A-07-0420

**APPLICATION OF PHELPS  
DODGE MINING COMPANY  
FOR LEAVE TO INTERVENE**

Pursuant to A.A.C. R14-3-105, Phelps Dodge Mining Company (“Phelps Dodge”) hereby submits its Application To Intervene in the above captioned Proceeding.

Phelps Dodge maintains facilities and operations within the State of Arizona, which receive electric services from Arizona Public Service Company (“APS”). As a very large user of electric services provided by APS, Phelps Dodge could be directly and substantially affected by the decision of the Arizona Corporation Commission (the “Commission”) in this Proceeding.

Furthermore, Phelps Dodge was a party to the APS Rate Application approved by the Commission in Decision No. 67744 (April 7, 2005), which the Hearing Division now seeks to modify and amend in this Proceeding.

Phelps Dodge participation in this Proceeding will not broaden the issues nor unduly delay the Proceeding, except upon leave of the Commission first had and received. For the reasons outlined above, Phelps Dodge respectfully requests that the Commission grant this Application for Leave To Intervene in this matter.

Phelps Dodge requests that all communications in connection with the above captioned Proceeding be directed to:

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C. Webb Crockett  
FENNEMORE CRAIG, P.C.  
3003 North Central Avenue, Ste. 2600  
Phoenix, Arizona 85012-2913  
(602) 916-5333  
Fax: (602) 916-5533  
[wcrocket@fclaw.com](mailto:wcrocket@fclaw.com)

RESPECTFULLY SUBMITTED this 3<sup>rd</sup> day of August 2007.

FENNEMORE CRAIG, P.C.

By:   
C. Webb Crockett  
3003 North Central Avenue, Ste. 2600  
Phoenix, Arizona 85012-2913  
Attorneys for Phelps Dodge Mining Company

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**ORIGINAL and 13 COPIES**  
of the foregoing **FILED** this  
3<sup>rd</sup> day of August 2007 with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

**COPY** of the foregoing **MAILED**  
this 3<sup>rd</sup> day of August 2007 to:

Lyn Farmer  
Chief Administrative Law Judge  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

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

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



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