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Sun City Taxpayers Association

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December 5, 2007 (via facsimile)

WS-01303A-06-0491

Arizona Corporation Commission DOCKETED

DEC 11 2007

Ms. Lyn Farmer, Chief Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

RE: Reply to Correspondence dated November 20, 2007

Dear Ms. Farmer,

We are in receipt of your letter dated November 20, 2007 in response to our letter dated October 26, 2007 addressed to Michael Kearns regarding our organization's ability to intervene at the Arizona Corporation Commission without legal counsel.

After reading your letter, it is apparent that you felt the need to explain Judge Teena Wolfe's actions at the August hearing and included partial transcripts from the proceeding. We found it interesting that you did not include the partial transcript where our representative, Executive Director Tracy Spoon, tells the witness before questioning him that she is not an attorney. Her statements were made during the hearing in the presence of Administrative Law Judge Teena Wolfe, recorded and transcribed as part of the record. Judge Wolfe did not at that time instruct Ms. Spoon that she could not cross-examine the witness because the SCTA was not represented by legal counsel. Only after Ms. Spoon's questioning did Chairman Gleason's aide, surely acting in his capacity as aide to Chairman Gleason, contact Administrative Law Judge Wolfe to inquire "why a non-attorney was cross-examining a witness during the evidentiary hearing." Our question to you would be why didn't Judge Wolfe instruct our representative she couldn't proceed with her cross examination after she made the admission that she was not an attorney? Why was it necessary for Chairman Gleason's aide to make contact with the Judge personally and the Hearing Division for Judge Wolfe to take action?

Further, in the interest of determining our ability to intervene at the Arizona Corporation Commission without legal counsel, the Sun City Taxpayers Association has attended many proceedings at the Commission and has been present when non-attorneys have cross examined witnesses. One such example is Walter W. Meeks formerly of the Arizona Utility Investors Association, a non-attorney according to both the Maricopa Bar Association and the Martindale-Hubbard websites, who on many occasions cross-examined witnesses during

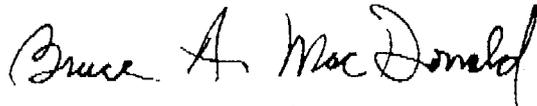
Ms. Lyn Farmer
December 5, 2007
Page Two

Commission proceedings. So with the aforementioned observation coupled with our experience at the Commission in August, we were at a loss to determine if our organization could be an effective intervenor without benefit of legal counsel. Even with the response from Chief Counsel Christopher Kempley, we are still confused as to how the rules outlined in his letter are actually applied at Commission proceedings. Does it depend on the organization being represented? Or the non-attorney individual designated to represent the organization?

Our belief is that while the Commission may express its desire to have ratepayers play an active role in Commission proceedings the reality is quite a different story. At our December 4, 2007, Board meeting the Sun City Taxpayers Association has decided that it will withdraw its Motion to Intervene on the dockets where it has been granted intervention (see letter attached).

Although we still question how the rules for organizations without legal representation are applied during Commission proceedings, we believe that our organization can still be effective in representing the ratepayers of Sun City.

Yours very truly,



Bruce A. MacDonald, President

Enclosure

Cc: Michael Kearns
Dean Miller
Christopher Kempley
Chairman Mike Gleason
Commissioner Bill Mundell
Commissioner Kris Mayes
Commissioner Scott Hatch-Miller
Commissioner Guy Pearce