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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

Arizona Corporation Commission

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION
OF ICR WATER USERS ASSOCIATION,
INC. FOR DETERMINATION OF THE
CURRENT FAIR VALUE OF ITS UTILITY
PLANT AND PROPERTY AND FOR
INCREASES IN ITS RATES AND
CHARGES FOR UTILITY SERVICES

DOCKET NO. W-02824A-07-0388

**OBJECTION TO MR. DAYNE
TAYLOR'S MOTION TO
INTERVENE**

ICR Water Users Association, Inc. ("ICR") objects to Mr. Dayne Taylor's Motion to Intervene because it is untimely—the hearing is in three weeks, discovery has closed, and the parties have already filed direct testimony with rebuttal testimony being filed today.

Pursuant to the August 9, 2007 Procedural Order in this matter, the Arizona Corporation Commission ("Commission") set an October 1, 2007 deadline for intervention. ICR received Mr. Taylor's motion to intervene on December 7, 2007, over two months after the intervention deadline.¹ Mr. Taylor has been aware of the pending application for several months, because in compliance with the August 6, 2007 Procedural Order, ICR mailed a detailed notice about the application and procedural schedule to all ICR customers, including Mr. Taylor, on or about August 30, 2007. (Notice of Filing Affidavit of Mailing, Sept. 18, 2007). ICR also published notice in the Prescott Courier on August 29, 2007. (Notice of Filing Affidavit of Publication, Sept. 4, 2007). As such, Mr. Taylor's motion to intervene is untimely and should be denied.

Furthermore, Mr. Taylor can still express his opinions in this proceeding if his motion is denied. Mr. Taylor can make a public comment at the beginning of the

¹ It remains unclear whether Mr. Taylor's motion to intervene was properly filed with Docket Control, since, as of the date of this response, the Commission's e-docket does not show an entry of his filing.

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1 hearing. He can also file written comments in the docket. This may be the extent of
2 what Mr. Taylor was intending to do anyways, since it is unclear whether he plans to file
3 pre-filed testimony. Thus, denying Mr. Taylor's motion does not rid him of the
4 opportunity to express his opinions in this proceeding, and ICR welcomes his public
5 comments and any other comments from its customers.

6 For these reasons, ICR requests the Commission to deny Mr. Taylor's motion to
7 intervene.

8 RESPECTFULLY submitted this 14th day of December, 2007.

9 SNELL & WILMER

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11 

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16 Attorneys for ICR Water Users Association, Inc.

17 ORIGINAL AND THIRTEEN (13) copies
18 filed this 14th day of December, 2007, with:

19 Docket Control
20 ARIZONA CORPORATION COMMISSION
21 1200 West Washington
22 Phoenix, Arizona 85007

23 COPY of the foregoing hand-delivered
24 this 14th day of December, 2007, to:

25 Judge Marc E. Stern
26 ARIZONA CORPORATION COMMISSION
27 1200 West Washington
28 Phoenix, Arizona 85007

COPY of the foregoing mailed
this 14th day of December, 2007, to:

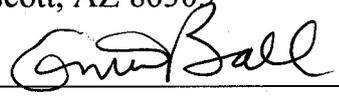
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Mr. Dayne Taylor
13868 North Grey Bears Trail
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