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**BEFORE THE ARIZONA CORPORATION COMMISSION**

COMMISSIONERS

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

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ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC., AN ARIZONA CORPORATION, FOR A DETERMINATION OF THE CURRENT FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES BASED THEREON FOR UTILITY SERVICE BY ITS PARADISE VALLEY WATER DISTRICT.

DOCKET NO. W-01303A-05-0405

DOCKET NO. W-01303A-05-0910

**THE TOWN OF PARADISE VALLEY'S MOTION TO INTERVENE**

IN THE MATTER OF THE APPLICATION OF ARIZONA-AMERICAN WATER COMPANY, INC., AN ARIZONA CORPORATION, FOR THE APPROVAL OF AN AGREEMENT WITH THE PARADISE VALLEY COUNTRY CLUB

Arizona Corporation Commission  
**DOCKETED**

MAR 4 2008

DOCKETED BY

The Town of Paradise Valley ("Town") hereby respectfully moves the Arizona Corporation Commission ("the Commission") for leave to intervene in the above-captioned proceeding pursuant to A.A.C. R14-3-105. This Motion is supported by the following:

1. On July 28, 2006, the Commission issued Decision No. 68858 granting a rate increase to Arizona American Water Company ("Arizona-American"), which included a Public Safety Surcharge ("PPS") and an Arsenic Cost recovery Mechanism ("ACRM").

2. On September 28, 2007, the Town submitted to the Commission, Town Resolution No. 1156 that requested the reconsideration of Commission Decision No. 68858 relating to the PSS.

3. On January 15, 2008, the Town filed a settlement agreement entered into between the Town, certain Resorts located within the Town of Paradise Valley, and

1 representatives of groups of residents from the Town of Paradise Valley containing a  
2 consensus rate design that would act as an interim solution regarding the PSS pending the  
3 next rate case ("the Settlement Agreement").

4 4. On February 27, 2008, the Commission, pursuant to A.R.S. § 40-252, voted to  
5 re-open Decision 68858 for the purpose of addressing the Settlement Agreement.

6 5. The Town, as a signatory to the Settlement Agreement, is directly and  
7 substantially interested in, and potentially affected by, the outcome of the proceeding before  
8 the Commission.

9 6. The granting of Intervenor status to the Town will not delay this proceeding or  
10 cause the issues to be unduly broadened or unduly prejudice party or other interested person.  
11 Moreover, the Town is an indispensable party to the proceeding as it is a signatory to the  
12 Settlement Agreement.

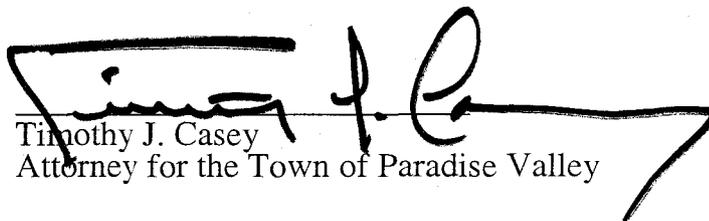
13 7. The name, address, telephone number, facsimile number and e-mail address  
14 of the outside counsel for the Town, upon whom service of all documents is to be made, are:

15  
16 Timothy J. Casey, Esq. (State Bar # 013492)  
17 *SCHMITT, SCHNECK, SMYTH & HERROD, P.C.*  
18 1221 East Osborne Road, Suite 105  
19 Phoenix, Arizona 85014  
Phone: (602) 277-7000  
Facsimile: (602) 277-8663  
E-mail: timcasey@azbarristers.com

20 WHEREFORE the Town respectfully requests that the Commission grant its Motion  
21 to Intervene in the above-captioned proceeding.

22 RESPECTFULLY SUBMITTED this 4th day of March, 2008.

23 *SCHMITT, SCHNECK, SMYTH & HERROD, P.C.*

24  
25   
26 Timothy J. Casey  
27 Attorney for the Town of Paradise Valley  
28

1 ORIGINAL and 13 copies filed this  
2 4th day of March, 2008, with:

3 Docket Control  
4 ARIZONA CORPORATION COMMISSION  
5 1200 West Washington Street  
6 Phoenix, Arizona 85004

7 COPIES of the foregoing hand-delivered  
8 this 4th day of March, 2008, to:

9 Teena Wolf  
10 Chief Administrative Law Judge  
11 Hearing Division  
12 ARIZONA CORPORATION COMMISSION  
13 1200 West Washington Street  
14 Phoenix, Arizona 85004

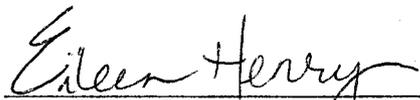
15 Maureen Scott  
16 Legal Division  
17 ARIZONA CORPORATION COMMISSION  
18 1200 West Washington Street  
19 Phoenix, Arizona 85004

20 COPIES of the foregoing mailed  
21 this 4th day of March, 2008, to:

22 Daniel W. Pozefsky  
23 Residential Utility Consumer Office  
24 1110 West Washington Street, Suite 220  
25 Phoenix, Arizona 85007

26 Paul M. Li  
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28 19820 North 7<sup>th</sup> Street, Suite 201  
Phoenix, Arizona 85024

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