

ORIGINAL

INTERVENTION



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BEFORE THE ARIZONA CORPORATION

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COMMISSIONERS

MIKE GLEASON, Chairman  
WILLIAM A. MUNDELL  
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GARY PIERCE

2008 FEB 29 A 11: 32  
AZ CORP 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 RESORTS' MOTION TO  
INTERVENE

Arizona Corporation Commission  
DOCKETED

FEB 29 2008

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

Snell & Wilmer

LAW OFFICES  
One Arizona Center, 400 E. Van Buren  
Phoenix, Arizona 85004-2202  
(602) 382-6000

The Camelback Inn, Sanctuary on Camelback Mountain and the Scottsdale Renaissance Resort collectively (the "Resorts"), hereby move the Arizona Corporation Commission ("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 facts and information:

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"). As structured, the PSS resulted in an unintended and inequitable increase in water rates for both residential and commercial customers, including the Resorts.

2. On September 28, 2007, the Town of Paradise Valley ("Town") submitted to the Commission, Town Resolution No. 1156 that requested the reconsideration of

1 Commission Decision No. 68858 relating to the PSS.  
2 3. On January 15, 2008, the Town filed a settlement agreement "Settlement  
3 Agreement" entered into between the Town, the Resorts and representatives of groups of  
4 Town residents (including some of the larger homeowners' associations) containing a  
5 consensus rate design that would act as an interim solution regarding the PSS pending the  
6 next rate case.

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

10 5. As customers of Arizona American and signatories to the Settlement  
11 Agreement, the Resorts are directly and substantially affected in the outcome of the  
12 proceeding.

13 6. The granting of intervenor status to the Resorts will not delay this  
14 proceeding or cause the issues to be unduly broadened. Moreover, the Resorts are  
15 indispensable parties to the proceeding as they are signatories to the Settlement  
16 Agreement.

17 7. The name, address, telephone number, facsimile number and e-mail  
18 address of the attorneys for the Resorts, upon whom service of all documents is to be  
19 made are:

20 Jeff Crockett, Esq.  
21 Robert Metli, Esq.  
22 SNELL & WILMER L.L.P.  
23 One Arizona Center  
24 400 East Van Buren Street  
25 Phoenix, Arizona 85004-2202  
26 Phone: (602) 382-6000  
27 Facsimile: (602) 382-6070  
28 E-mail: [rmetli@swlaw.com](mailto:rmetli@swlaw.com)

26 WHEREFORE the Resorts respectfully request that the Commission grant their  
27 motion to intervene in the above-captioned proceeding.  
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RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of February, 2008.

SNELL & WILMER L.L.P.

By 

Jeff Crockett  
Robert Metli  
One Arizona Center  
400 E. Van Buren  
Phoenix, AZ 85004-2202  
Attorneys for Resorts

ORIGINAL and 13 copies filed this  
29<sup>th</sup> day of February, 2008, with:

Docket Control  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85004

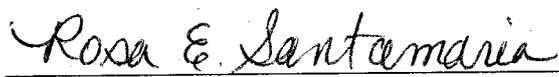
COPIES of the foregoing hand-delivered  
this 29<sup>th</sup> day of February, 2008, to:

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