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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
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JAN 31 2002

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6 IN THE MATTER OF THE APPLICATION OF  
7 THE ARIZONA ELECTRIC DIVISION OF  
8 CITIZENS COMMUNICATIONS COMPANY TO  
9 CHANGE THE CURRENT PURCHASED  
10 POWER AND FUEL ADJUSTMENT CLAUSE  
11 RATE, TO ESTABLISH A NEW PURCHASED  
12 POWER AND FUEL ADJUSTMENT CLAUSE  
13 BANK, AND TO REQUEST APPROVED  
14 GUIDELINES FOR THE RECOVERY OF COSTS  
15 INCURRED IN CONNECTION WITH ENERGY  
16 RISK MANAGEMENT INITIATIVES.

DOCKET NO. E-01032C-00-0751

**CITIZENS' RESPONSE TO THE  
MAGRUDERS' REQUEST TO  
INTERVENE**

GALLAGHER & KENNEDY, P.A.  
2575 E. CAMELBACK ROAD  
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11 On January 8, 2002, Marshall and Lucy Magruder (the "Magruders") filed separate  
12 requests to intervene in this matter (the "Requests"). Because these Requests were not mailed to  
13 Citizens, it was given until February 4, 2002 to file this response.

14 Citizens objects to the Requests pursuant to A.A.C. R14-3-105.B. From the face of Mr.  
15 Magruder's request, grant of the intervention would unduly broaden the issues involved in this  
16 docket. The Magruders were intervenors in the recent Siting Committee Case No. 111 involving  
17 the new 345/115 kV interconnection project in Santa Cruz County and want to discuss potential  
18 future need and rate impacts associated with its construction. This line is not scheduled for  
19 operation until late 2003 and is not now even under construction. Those issues decidedly are not  
20 part of this proceeding which deals with increases in Citizens' purchased power costs.

21 For these reasons, Citizens would request that the Requests be denied or, if granted, that  
22 the Magruders be advised that the issues raised as to the 345/115 kV interconnection project are

1 speculative, irrelevant and immaterial to this proceeding. Also, if the intervention is granted,  
2 pursuant to R14-3-105.C, Citizens would ask that the Magruders be designated a "class of  
3 interested persons" and only one be allowed to act as spokesperson.

4 RESPECTFULLY submitted this 31<sup>st</sup> day of January, 2002.

5 GALLAGHER & KENNEDY, P.A.

6 By Michael M. Grant  
7 Michael M. Grant  
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12 Company

9 **Original** and ten copies filed this  
10 31 day of January, 2002, with:

11 Docket Control  
12 Arizona Corporation Commission  
13 1200 West Washington  
14 Phoenix, Arizona 85007

13 **COPIES** of the foregoing mailed this  
14 31 day of January, 2002, to:

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