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BEFORE THE ARIZONA CORPORATION C

COMMISSIONERS

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

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Arizona Corporation Commission

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DOCKET NO. W-02824A-07-0388

IN THE MATTER OF THE APPLICATION OF ICR WATER
USERS ASSOCIATION, AN ARIZONA CORPORATION,
FOR A PERMANENT RATE INCREASE.

I (Dayne Taylor) would like to file a motion that the Talking Rock Golf Course, LLC (TRG) application to the Arizona Corporation Commission (Commission) for intervention be denied in the above-captioned proceeding

In the Procedural Order dated April 3, 2008, page 3, lines 1-3, Judge Marc E. Stern stated: The presiding Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

In the telecom of April 2, 2008, TRG as represented by Fennemore Craig did not express what was later disclosed in their letter of April 3, 2008, and it is to these later disclosures that I am opposed.

As I review the content of Docket No. W-02824A-01-0450, it is for the intent to provide water service to some 3070 acres of land of a planned development, Talking Rock Ranch, a residential subdivision which will also consist of various entities including a golf course. This Rate Hearing will eventually affect some 2500 residents at build-out. It isn't the TRG that should have the leverage to intervene; it should be the shareholders/residential customers.

I requested to be an Intervenor on November 21, 2007. There was no Commission acknowledgment of my request until Public Comment at the Rate

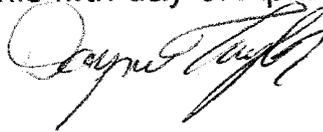
1 Hearing on January 8, 2008. Had I been denied Intervention, the residential
2 customers would have borne the brunt of inequitable rates.

3 As I have reviewed and respected the content of Decision 64360, the
4 pleadings of TRG to intervene at this late date are untimely. Prior to January
5 8, 2008, it appeared, according to the ICR and TRG, that there were no issues
6 at all. Issues surfaced, but ICR, to concerned neighbors, expressed that they
7 were negligible. But...since that time Staff has recommended resolution to
8 several compliance issues.

9 I would like to keep the issues between the Commission and ICR. My
10 reasoning: In Decision 64360, page 6, line 13: "The Commission has
11 jurisdiction over Applicant (ICR) and of the subject matter (Water Rate Issues)
12 of application." ICR and TRG have circumvented the jurisdiction of the
13 Commission by entering into the Well Agreement more than one year after
14 Decision 64360. And in contradiction to the Commission's authority, they took
15 it upon themselves to establish rates and tariffs.

16 Respectfully submitted this fifth day of April 2008.

17 Dayne Taylor, Intervenor
18 13868 N Grey Bears Trail
19 Prescott, AZ 86305-1516



21 Original and thirteen (13) copies of the foregoing
22 were mailed this 5th day of April, 2008 to:

23 **Docket Control**

24 Arizona Corporation Commission
25 1200 West Washington Street
26 Phoenix, Arizona 85007

27
28 COPY of the foregoing mailed this 5th day of
29 April 2008 to:

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42

43 **Fennemore Craig, P.C.**

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