

ORIGINAL



0000092874

INTERVENTION

RECEIVED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

COMMISSIONERS

KRISTIN K. MAYES, Chariman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 APR -7 P 4: 15

Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION
DOCKET CONTROL

APR 7 2009

DOCKETED BY

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE
APPLICATION OF BLACK MOUNTAIN
SEWER CORPORATION, AN ARIZONA
CORPORATION, FOR A
DETERMINATION OF THE FAIR
VALUE OF ITS UTILITY PLANT AND
PROPERTY AND FOR INCREASES IN
ITS RATES AND CHARGES FOR
UTILITY SERVICE BASED THEREON.

NO. DOCKET NO. SW-02361A-08-0609

**THE BOULDERS HOMEOWNERS'
ASSOCIATION MOTION TO
INTERVENE**

The Boulders Homeowners' Association ("Boulders HOA"), pursuant to A.A.C. R14-3-105 and the Procedural Order dated January 23, 2009, hereby moves the Arizona Corporation Commission for an order allowing Boulders HOA to intervene in the above-captioned proceeding. In support of its motion, Boulders HOA states as follows:

1. Boulders HOA is an association of approximately 300 residential customers of Black Mountain Sewer Corporation ("BMSC").
2. The members of Boulders HOA are affected directly and substantially by the outcome of BMSC's rate application because said members will be required to pay the rates that result from the proceeding for their sewer service.
3. The granting of intervenor status to Boulders HOA will not delay this proceeding or cause the issues to be unduly broadened, nor will it unduly prejudice BMSC or any other interested parties.
4. Service of all correspondence, documents or pleadings should be made to:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

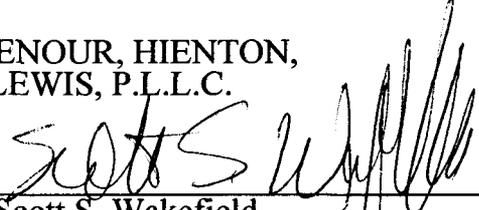
Scott S. Wakefield
Ridenour, Hienton & Lewis
201 North Central Avenue, Suite 3300
Phoenix, Arizona 85004-1052
Phone: 602-254-9900
Fax: 602-254-8670
Email: sswakefield@rhkl-law.com

WHEREFORE, based upon the foregoing reasons, Boulders HOA respectfully requests that the presiding Administrative Law Judge issue an order granting this motion.

Dated this 7th day of April, 2009.

RIDENOUR, HIENTON,
& LEWIS, P.L.L.C.

By



Scott S. Wakefield
201 North Central Avenue, Suite 3300
Phoenix, Arizona 85004-1052
Attorneys for Boulders Homeowners'
Association

1 ORIGINAL and 13 copies filed
2 this 7 day of April, 2009 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, AZ 85007

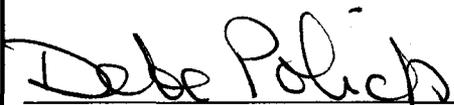
7 COPY of the foregoing MAILED
8 this 7 day of April, 2009 to:

9 Greg Sorenson
10 ALGONQUIN WATER SERVICES
11 12725 W. Indian School Road,
12 Suite D-101
13 Avondale, Arizona 85392

14 Jay L. Shapiro
15 Norman D. James
16 FENNEMORE CRAIG, PC
17 3003 N. Central Avenue,
18 Suite 2600
19 Phoenix, Arizona 85012
20 Attorneys for Black Mountain Sewer
21 Corporation

22 Janice Alward, Chief Counsel
23 Legal Division
24 ARIZONA CORP. COMMISSION
25 1200 W. Washington Street
26 Phoenix, Arizona 85007

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORP. COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

21 
22 _____

24 303119;sww;22938-0001