

ORIGINAL

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION
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2009 APR 13 A 9:19

AZ CORP COMMISSION
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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.

Docket No. SW-02361A-08-0609

Arizona Corporation Commission

DOCKETED

APR 13 2009

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RUCO'S APPLICATION TO INTERVENE

I.

The RESIDENTIAL UTILITY CONSUMER OFFICE ("RUCO") hereby applies to the Arizona Corporation Commission ("Commission") for an Order granting it leave to intervene in the above-captioned proceeding.

II.

RUCO was established by the enactment of Arizona Revised Statutes, Section 40-461, *et seq.*, for the purpose of representing residential utility consumers in matters before the Commission concerning regulated public service corporations.

1 III.

2 Arizona Revised Statutes, Section 40-464.A.2., specifically provides that the
3 Director of RUCO may do the following:

4 Prepare and present briefs, arguments, proposed rates or
5 orders and intervene or appear on behalf of residential utility
6 consumers before hearing officers and the Corporation
7 Commission as a party in interest and also participate as a
8 party in interest pursuant to Section 40-254 in proceedings
relating to rate making or rate design and involving public
service corporations.

9 IV.

10 The residential utility consumers will be directly and substantially affected by a
11 Decision or Order of the Commission in this matter, therefore, it is necessary and proper
12 that RUCO intervene in the proceeding.

13
14 V.

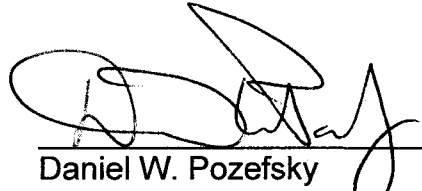
15 In order to fulfill its statutory obligation to protect the residential utility consumers of
16 this State, RUCO must thoroughly examine the materials presented by the Company, and
17 must cross-examine witnesses appearing on behalf of the Company and any other parties.
18 Additionally, RUCO may present testimony and exhibits of its own in any hearings
19 conducted by the Commission in this matter.

20 VI.

21 The name, mailing address, and telephone number of the person upon whom
22 service of all documents is to be made is:
23
24

1 Daniel W. Pozefsky
2 Chief Counsel
3 Residential Utility Consumer Office
4 1110 West Washington, Suite 220
5 Phoenix, Arizona 85007
6 (602) 364-4839

7
8 RESPECTFULLY SUBMITTED this 13th day of April 2009.

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Daniel W. Pozefsky
Chief Counsel

AN ORIGINAL AND THIRTEEN COPIES
of the foregoing filed this 13th day
of April 2009 with:

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

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mailed this 13th day of April 2009 to:

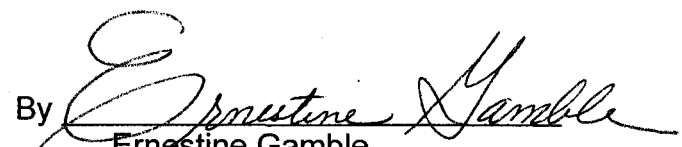
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By 
Ernestine Gamble
Secretary to Daniel Pozefsky