

# INTERVENTION



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Attorneys for Western Resource Advocates

## BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

8 KRISTIN K. MAYES, Chairman  
9 GARY PIERCE  
10 SANDRA D. KENNEDY  
11 BOB STUMP  
12 PAUL NEWMAN

JUL 23 2009

DOCKETED BY *MM*

13 IN THE MATTER OF THE APPLICATION OF  
14 SOLARCITY FOR A DETERMINATION THAT  
15 WHEN IT PROVIDES SOLAR SERVICE TO  
16 ARIZONA SCHOOLS, GOVERNMENTS, AND  
17 NON-PROFIT ENTITITES IT IS NOT ACTING  
18 AS A PUBLIC SERVICE CORPORATION  
19 PURSUANT TO ART. 15, SECTION 2 OF THE  
20 ARIZONA CONSTITUTION

Docket No. E-20690A-09-0346

### PETITION FOR LEAVE TO INTERVENE OF WESTERN RESOURCE ADVOCATES

21 Pursuant to the Rules of Practice and Procedure of the Arizona Corporation Commission  
22 (“Commission”), Western Resource Advocates (“WRA”) hereby petitions for leave to intervene  
23 in the above-captioned docket and, in support thereof, states as follows:

24 1. WRA is a regional environmental law and policy center serving the Rocky  
25 Mountain and Desert Southwest states. WRA has been involved in proceedings before the  
Commission for about 20 years and has been granted intervenor status in numerous dockets.  
WRA has staff and supporters who live and recreate in Arizona.

2. WRA’s Energy Project promotes policies and programs designed to encourage the  
development of clean energy power production technologies, energy efficiency, renewable

1 resources, distributed generation, and other measures that help reduce the environmental impacts  
2 of meeting the demand for energy services and encourage sustainable rural economic  
3 development, while minimizing the costs and risks to ratepayers of fuel price volatility and  
4 environmental regulatory requirements. It has appeared in proceedings before the Commission  
5 and in other state and federal regulatory forums to recommend, among other things, policies  
6 encouraging renewable energy and energy efficiency.

7  
8 3. Intervention by WRA will not unduly broaden the issues or delay the proceeding.  
9 WRA does not yet know what position it will take in this proceeding.

10 4. WRA requests that all pleadings, correspondence, discovery, and other documents  
11 be served on the following:

12 Timothy M. Hogan  
13 Arizona Center for Law in the Public Interest  
14 202 E. McDowell Road, Suite 153  
15 Phoenix, AZ 85004  
16 (602) 258-8850 - Office  
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18 thogan@aclpi.org

19 David Berry  
20 Western Resource Advocates  
21 P.O. Box 1064  
22 Scottsdale, AZ 85252-1064  
23 (480) 990-7209 (Office and Fax)  
24 azbluhill@aol.com

25 Wherefore, WRA respectfully requests that the Commission issue an order granting its  
Petition for Leave to Intervene in the above-captioned proceeding.

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1 RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of July, 2009.

2 ARIZONA CENTER FOR LAW IN  
3 THE PUBLIC INTEREST

4 By   
5 Timothy M. Hogan  
6 202 E. McDowell Rd., Suite 153  
7 Phoenix, Arizona 85004  
8 Attorneys for Western Resource  
9 Advocates

10 ORIGINAL and 13 COPIES of  
11 the foregoing filed this 24<sup>th</sup> day  
12 of July, 2009, with:

13 Docketing Supervisor  
14 Docket Control  
15 Arizona Corporation Commission  
16 1200 W. Washington  
17 Phoenix, AZ 85007

18 COPIES of the foregoing  
19 electronically served this  
20 24<sup>th</sup> day of July, 2009 to:

21 All Parties of Record  
22  
23  
24  
25