

ORIGINAL

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP -1 2009

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Docket No. E-01345A-09-0338

IN THE MATTER OF THE
APPLICATION OF ARIZONA PUBLIC
SERVICE COMPANY FOR APPROVAL
OF ITS 2010 RENEWABLE ENERGY
STANDARD IMPLEMENTATION PLAN
AND DISTRIBUTED ENERGY
ADMINISTRATIVE PLAN AND
REQUEST FOR RESET OF
RENEWABLE ENERGY ADJUSTOR

**APPLICATION OF FREEPORT-
MCMORAN COPPER & GOLD
INC. AND ARIZONANS FOR
ELECTRIC CHOICE AND
COMPETITION FOR LEAVE TO
INTERVENE**

Pursuant to A.A.C. R14-3-105, Freeport-McMoRan Copper & Gold Inc. ("Freeport-McMoRan") and Arizonans for Electric Choice and Competition ("AECC") hereby apply to the Arizona Corporation Commission (the "Commission") for an Order granting Freeport-McMoRan and AECC leave to intervene in the above captioned proceeding.

Freeport-McMoRan maintains facilities and operations within the State of Arizona, which uses a significant amount of electric services from Arizona Public Service Company ("APS"). As a significant user of electric services provided by APS, Freeport-McMoRan will be directly and substantially affected by the decision of the Commission in this proceeding. The Commission should, therefore, grant Freeport-McMoRan leave to intervene in this matter.

AECC is a coalition of energy consumers, most of whom use large amounts of electric service from APS. The Commission should grant AECC leave to intervene in

1 this matter because the members of AECC are users of electric services provided by
2 APS and will be directly and substantially affected by the decision of the Commission
3 in this proceeding. The Commission should, therefore, grant AECC leave to intervene
4 in this matter.

5 Neither Freeport-McMoRan's nor AECC's participation in this proceeding will
6 broaden the issues nor unduly delay the proceeding, except upon leave of the
7 Commission first had and received.

8 For the reasons outlined above, Freeport-McMoRan and AECC respectfully
9 request that the Commission grant this Application for Leave To Intervene in this
10 matter.

11 Freeport-McMoRan and AECC request that all communications in connection
12 with the above captioned proceeding be directed to:

13 C. Webb Crockett
14 Patrick J. Black
15 FENNEMORE CRAIG, P.C.
16 3003 North Central Avenue
17 Suite 2600
18 Phoenix, Arizona 85012-2913
19 (602) 916-5333
20 Fax: (602) 916-5533
21 wcrocket@fclaw.com
22 pblack@fclaw.com

23 RESPECTFULLY SUBMITTED this 1st day of September 2009.

24 FENNEMORE CRAIG, P.C.

25 By 

26 C. Webb Crockett
Patrick J. Black
3003 N. Central Avenue, Ste. 2600
Phoenix, AZ 85012-2913

Attorneys for Freeport-McMoRan Copper & Gold
Inc. and Arizonans for Electric Choice and
Competition

1 **ORIGINAL** and **13 COPIES** of the foregoing
2 **FILED** this 1st day of September 2009 with:

3 Docket Control
4 ARIZONA CORPORATION COMMISSION
5 1200 West Washington
6 Phoenix, Arizona 85007

7 **COPY** of the foregoing was **HAND DELIVERED**
8 this 1st day of September 2009 to:

9 Lyn Farmer
10 Chief Administrative Law Judge
11 Hearing Division
12 Arizona Corporation Commission
13 1200 West Washington Street
14 Phoenix, Arizona 85007

15 Janice M. Alward, Esq.
16 Chief Counsel, Legal Division
17 Arizona Corporation Commission
18 1200 West Washington Street
19 Phoenix, Arizona 85007

20 Steven M. Olea, Director
21 Utilities Division
22 Arizona Corporation Commission
23 1200 West Washington Street
24 Phoenix, Arizona 85007

25 **COPY** of the foregoing was
26 **TRANSMITTED ELECTRONICALLY***
this 1st day of September to:

*Deborah R. Scott
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Phoenix, AZ 85072-3999
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By: 