

ORIGINAL INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

JAN 20 2011

COMMISSIONERS

GARY PIERCE - CHAIRMAN

BOB STUMP

SANDRA D. KENNEDY

PAUL NEWMAN

BRENDA BURNS

2011 JAN 20 P 12:59

ARIZONA CORP COMMISSION
DOCKET CONTROL

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W-20765A-10-0432

W-20770A-10-0473

DOCKET NO. W-02350A-10-0163

MOTION TO INTERVENE

(Administrative Law Judge Sarah H. Harpring)

IN THE MATTER OF THE APPLICATION
OF TUSAYAN WATER DEVELOPMENT
ASSOCIATION, INC. FOR
ESTABLISHMENT OF RATES FOR
WATER SERVICE

The Town of Tusayan, a political subdivision of the State of Arizona ("Town") respectfully moves to intervene in these proceedings.

1. Description of the Town's Interest.

The Town recently incorporated. One of the benefits of incorporation is local governance and control. The Town is considering options to acquire assets related to providing water to the residents of the Town. In order to acquire such assets, the Town must assemble all necessary information to develop a proposal for submission to the voters of the Town.

Intervention in this matter is the critical next step in order to monitor the proceedings before the Arizona Corporation Commission and gather information. The Town Council authorized such intervention pursuant to formal Town Council action at a duly called meeting of the Town Council held on January 19, 2011. A certification by the Town Clerk is attached.

2. Conclusion.

The Town respectfully requests that it be granted intervention in this matter under

1 A.A.C. R14-3-105. Service of all correspondence, documents and pleadings should be
2 made to the address listed below.

3 DATED this 20th day of January, 2011.

4 LASOTA & PETERS, PLC

5 

6 William J. Sims III
7 722 E. Osborn, Suite 100
8 Phoenix, Arizona 85014
9 wjsims@lasotapeters.com
10 602-296-0950 (Direct Dial)
11 602-248-2999 (Fax)
12 Attorneys for the Town of Tusayan

13
14 Original of foregoing filed and delivered
15 this 20th day of January, 2011, to:

16 Sarah N. Harpring
17 Administrative Law Judge
18 Arizona Corporation Commission
19 1200 West Washington
20 Phoenix, Arizona 85007

21 Copies of the foregoing mailed this
22 20th day of January, 2011, to:

23 Janice Alward, Chief Counsel
24 Legal Division
25 Arizona Corporation Commission
26 1200 West Washington
27 Phoenix, Arizona 85007

28 Steven M. Olea, Director
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

1 Russell A. Kolsrud
2 Ryan J. Lorenz
3 CLARK HILL PLC
4 14850 N. Scottsdale Road, Suite 500
5 Scottsdale, Arizona 85254
6 Attorneys for Tusayan Water Development Association, Inc.

7 Paul L. Brinkman
8 SHORALL MCGOLDRICK BRINKMAN
9 702 North Beaver
10 Flagstaff, Arizona 85001
11 Attorneys for Anasazi Water Co., LLC

12 Garry D. Hays
13 THE LAW OFFICES OF GARRY D. HAYS, P.C.
14 1702 E. Highland Avenue, Suite 204
15 Phoenix, Arizona 85016
16 Attorneys for Tusayan Ventures LLC

17 Steven A. Hirsch
18 Rodney W. Ott
19 BRYAN CAVE LLP
20 Two North Central Avenue, Suite 2200
21 Phoenix, Arizona 85004-4406
22 Attorneys for Hydro-Resources, Inc.

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Town of Tusayan

PO Box 709
Grand Canyon AZ 86023
928-638-9909

Extracted from minutes of Town of Tusayan Town Council Meeting duly called and held on January 19, 2011, 6:00 pm at the Best Western Squire Inn, 74 State Route 64, Tusayan Arizona

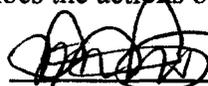
Item 8.H: ACC Procedural Hearing Regarding Water Service in Tusayan – discussion and possible action.

CM Rueter recused himself at 8:33 p.m. from any discussions due to his position with Hydro Resources. He left the table and set in the back of the Council Chambers. Mayor Bryan stated that as an intervener in the ACC Matter, the Town would have a “voice” in meetings and could be included in discussions and possible actions regarding water in Tusayan. Mayor Bryan noted that the Town must inform the ACC by tomorrow, January 20, 2011 concerning the Town Council wishes.

Vice-Mayor Maniaci moved and Council Member Blasi seconded the motion that the Town of Tusayan become a formal intervener in the Tusayan water cases with the ACC as the community interests need to be monitored and protected.

Motion passed 4 to 0 with Council Member Rueter recusing himself from the vote.

As Town Clerk, I certify that this action was taken at a duly called public meeting of the Town Council on 1/19/11 and that the foregoing accurately describes the actions of the Town Council.



Pam Parsons, Town Clerk
Dated, January 20, 2011