

INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

ORIGINAL

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2011 AUG 18 P 4: 36

Arizona Corporation Commission

DOCKETED

AUG 18 2011

COMMISSIONERS

- GARY PIERCE, CHAIRMAN
- BOB STUMP
- SANDRA D. KENNEDY
- PAUL NEWMAN
- BRENDA BURNS

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION)
 OF ARIZONA-AMERICAN WATER)
 COMPANY, AN ARIZONA)
 CORPORATION, FOR A)
 DETERMINATION OF THE CURRENT)
 FAIR VALUE OF ITS UTILITY PLANT)
 AND PROPERTY AND FOR INCREASES)
 IN ITS RATES AND UTILITY SERVICE BY)
 ITS AGUA FRIA WATER DISTRICT,)
 HAVASU WATER DISTRICT, AND)
 MOHAVE WATER DISTRICT)

DOCKET NO. W-01303A-10-0448

CITY OF SURPRISE'S MOTION TO INTERVENE

Pursuant to Rule 14-3-105 of the Arizona Administrative Code, City of Surprise ("Surprise"), an Arizona municipal corporation, hereby requests permission to intervene in the above-captioned matter pending before the Arizona Corporation Commission (the "Commission"). In support of this application, Surprise states as follows:

1. On August 16, 2011, at a Special Council Meeting, the Surprise City Council unanimously voted, directing City staff to intervene in the above-captioned matter. (A copy of the unofficial Minutes are attached as Exhibit A.)
2. Surprise, as a customer within Arizona-American's Agua Fria Water District, is directly and substantially impacted by these proceedings.
3. Because the Commission will need to determine the applicable rate Surprise will be charged as part of this proceeding, Surprise's participation in this proceeding will

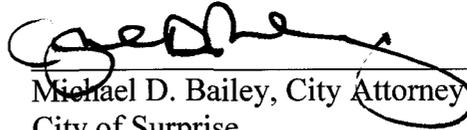
1 not unduly delay the proceedings or broaden the nature or scope of the
2 Commission's inquiry.

3 4. If Surprise is granted intervention, pleadings and other communications should be
4 sent to:

5 Michael D. Bailey
6 James Gruber
7 Surprise City Attorney's Office
8 16000 N. Civic Center Plaza
9 Surprise, AZ 85374
10 Telephone: (623) 222-1120
11 Michael.bailey@surpriseaz.gov
12 James.gruber@surpriseaz.gov

13 Accordingly, Surprise requests that the Arizona Corporation Commission issue an order
14 granting Surprise's request for intervention.

15 RESPECTFULLY SUBMITTED this 18th day of August, 2011.

16 
17 Michael D. Bailey, City Attorney
18 City of Surprise
19 16000 N. Civic Center Plaza
20 Surprise, AZ 85374
21 Telephone: (623) 222-1120
22 Michael.bailey@surpriseaz.gov
23 Attorney for City of Surprise

24 ORIGINAL and thirteen (13) copies of the foregoing
25 filed this 18th day of August, 2011 with:

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

Copy of the foregoing mailed this 18th day of August, 2011 to:

Curtis Ekmark
6720 N. Scottsdale Rd., Suite 261
Scottsdale, AZ 85253

1 Michele Van Quathem
2 Ryley Carlock & Applewhite
3 One North Central Ave., Suite 1200
4 Phoenix, AZ 85004

5 Kenneth Hewitt
6 18729 N. Palermo Court
7 Surprise, AZ 85387

8 Joan Burke
9 1650 N. First Ave.
10 Phoenix, AZ 85003

11 Greg Patterson
12 916 W. Adams, Suite 3
13 Phoenix, AZ 85007

14 Michelle Wood
15 1110 W. Washington St., Suite 220
16 Phoenix, AZ 85007

17 Arizona Reporting Service, Inc.
18 2200 N. Central Ave., Suite 502
19 Phoenix, AZ 85004

20 Thomas Campbell
21 Lewis and Roca, LLP
22 40 N. Central Ave., Suite 1900
23 Phoenix, AZ 85004

24 Steve Olea
25 1200 W. Washington St.
Phoenix, AZ 85007

Janice Alward
1200 W. Washington St.
Phoenix, AZ 85007

Lyn Farmer
1200 W. Washington St.
Phoenix, AZ 85007

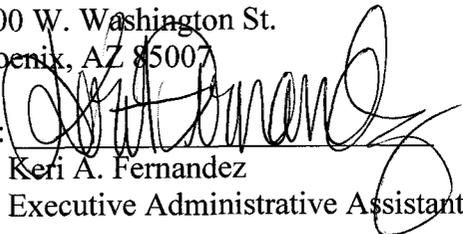
By: 
Keri A. Fernandez
Executive Administrative Assistant

EXHIBIT A

CITY OF SURPRISE
Special City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, August 16, 2011 @ 4:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Special City Council Meeting** to order at 4:00 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, August 16, 2011**. Also in attendance with Mayor Truitt were Vice Mayor Hall, Council Member Biundo, Council Member Alton, Council Member Williams, Council Member Villanueva, and Council Member Woodard.

Staff Present: City Attorney, Michael Bailey, City Manager, Chris Hillman, and City Clerk, Sherry Aguilar.

B. Pledge of Allegiance

Special City Council Meeting Agenda:

CALL TO THE PUBLIC:

#1. Consideration and action on directing the City Manager to Intervene in the following Arizona Corporation Commission proceedings; Docket No. W-01303A-10-0448 (Arizona-American Water Company Water Rate Increase Request) and Docket No. W-01303A-11-0101 (Arizona-American/EPCOR Sale Transaction Proceeding) in an amount not to exceed \$100,000 and the transfer of Contingency Funds Resolution 2011-89 for the intervention process - APPROVED

Public Work Director, Robert Beckley gave an overview regarding Resolution No. 2011-89 for the intervention process in an amount not to exceed \$100,000.

Mayor Truitt asked that we work with Home Owners Associations.

Special City Council Meeting Minutes – August 16, 2011 – Page 2

Council Member Williams made the motion to approve directing the City Manager to Intervene in the following Arizona Corporation Commission proceedings; Docket No. W-01303A-10-0448 (Arizona-American Water Company Water Rate Increase Request) and Docket No. W-01303A-11-0101 (Arizona-American/EPCOR Sale Transaction Proceeding) in an amount not to exceed \$100,000 and the transfer of Contingency Funds Resolution 2011-89 for the intervention process. Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

EXECUTIVE SESSION: NONE

ADJOURNMENT:

Mayor Truitt adjourned the Special City Council Meeting of August 16, 2011 at 4:18 p.m.

L.E. Truitt, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Special City Council Meeting of **Tuesday, August 16, 2011.**

Sherry Ann Aguilar, City Clerk

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16000 North Civic Center Plaza
Surprise, AZ 85374

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