

ORIGINAL



0000129593

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

2011 SEP 14 P 3:41

DOCKETED

COMMISSIONERS

AZ CORP COMMISSION
DOCKET CONTROL

SEP 14 2011

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

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 PLAN
AND PROPERTY AND FOR INCREASES
IN ITS RATES AND CHARGES BASED
THEREON FOR UTILITY SERVICE BY
ITS AGUA FRIA WATER DISTRICT,
HAVASU WATER DISTRICT, AND
MOHAVE WATER DISTRICT

DOCKET NO. W-01303A-10-0448

SUPPLEMENT TO RUSSELL
RANCH HOMEOWNERS
ASSOCIATION, INC.'S
MOTION TO INTERVENE

Pursuant to the Administrative Law Judge's August 18, 2011, Procedural Order requiring specific authorization, such as a board resolution, for the specific officer of the association requesting intervention to represent the association in this matter, Russell Ranch Homeowners Association, Inc. (the "Association") hereby files a Resolution of the Board of Directors of the Association authorizing its President, Pauline Harris-Henry, to represent the Association in the above-captioned matter.

DATED this 12th day of September, 2011.

RUSSELL RANCH HOMEOWNERS
ASSOCIATION, INC.

President, Board of Directors
Russell Ranch Homeowners
Association, Inc.

1 Resolution of
2 the Board of Directors of
3 Russell Ranch Homeowners Association, Inc.

4 **Intervention in Water Rate Case**
5 **Docket No. W-01303A-10-0448**

6 **WHEREAS**, Article VII, Section 7.1.3. of the Bylaws gives authorization to the
7 Board of Directors (the "Board") to exercise all powers, duties and authority vested in or
8 delegated to the Russell Ranch Homeowners' Association, Inc. (the "Association");

9 **WHEREAS**, the Nonprofit Corporation Act allows the Association to sue and be
10 sued, complain and defend in its corporate name;

11 **WHEREAS**, Arizona-American Water Company (the "Company") has filed an
12 application (the "Application") with the Arizona Corporation Commission (the
13 "Commission") for a determination of the current fair value of its utility plant and
14 property and for increases in its rates and charges based thereon for utility services by its
15 Agua Fria Water District (collectively, the "Rate Case");

16 **WHEREAS**, the Application proposes a rate structure that would result in a
17 substantial increase in water rates for customers in the Agua Fria Water District;

18 **WHEREAS**, the Association is a customer of the Company's Agua Fria Water
19 District and is directly and substantially impacted by the Rate Case;

20 **WHEREAS**, Arizona Supreme Court Rule 31(d)(28) provides that a non-profit
21 corporation may be represented before the Commission by a corporate officer, employee,
22 or a member who is not an active member of the state bar, if: (a) the non-profit
23 corporation has specifically authorized the officer, employee, or member to represent it in
24 the particular matter; (b) such representation is not the person's primary duty to the non-
25 profit corporation, but is secondary or incidental to such person's duties relating to the
26 management or operation of the non-profit; and (c) the person is not receiving separate or
additional compensation (other than reimbursement for costs) for such representation;

27 **WHEREAS**, the Board desires to intervene in the Rate Case currently before the
28 Arizona Corporation Commission as docket number W-01303A-10-0448 in order to
29 exercise the rights of the Association with respect to the issue of a water rate increase;

30 **WHEREAS**, the Board desires to authorize its President, Pauline Harris-Henry,
31 to represent the Association in the Rate Case;

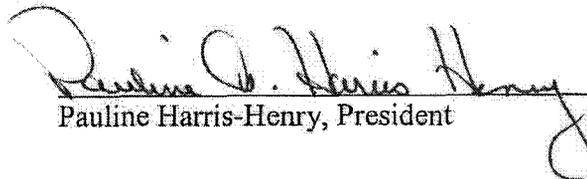
32 **WHEREAS**, the Board avers that such representation is not the President's
33 primary duty to the Association, but is incidental to her duties as President of the Board
34 of Directors and that the President will not be compensated (other than reimbursement for
35 costs) for such representation; and

1 **WHEREAS**, the Board voted unanimously to authorize its President to take all
2 action necessary to protect the Association's interests in the Rate Case.

3 **NOW, THEREFORE, IT IS RESOLVED**, that the Board authorizes its
4 President, Pauline Harris-Henry, to intervene in Rate Case Docket No. W-01303A-10-
0448, on behalf of the Association; and

5 **IT IS FURTHER RESOLVED**, that the Board authorizes its President, Pauline
6 Harris-Henry, to represent the Association in the Rate Case, to take all action necessary
7 to protect the Association's interests in the Rate Case, and to report back to the Board
accordingly.

8 The Board of Directors adopted the above-referenced resolution on September 12, 2011.

9
10 
11 Pauline Harris-Henry, President

12 **Certificate of Service**

13
14 **ORIGINAL** and thirteen (13) copies
15 of the foregoing filed this 14th day of
September, 2011 with:

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

18 **COPY** of the foregoing hand-delivered
19 this 14th day of September 2011 to:

20 Teena Jibilian, Administrative Law Judge
21 Legal Division
Arizona Corporation Commission
1200 W. Washington Street
22 Phoenix, AZ 85007

23 **COPIES** of the foregoing mailed
24 this 14th day of September 2011 to:

25 Janice Alward, Chief Counsel
Charles Hains, Attorney
26 Legal Division
Arizona Corporation Commission
1200 West Washington

1 Phoenix, AZ 85007
2 Steve Olea, Director
3 Utilities Division
4 Arizona Corporation Commission
5 1200 West Washington
6 Phoenix, AZ 85007
7
8 Thomas H. Campbell
9 Michael T. Hallam
10 Lewis and Roca LLP
11 40 North Central Avenue
12 Phoenix, AZ 85004
13 Attorneys for Arizona-American Water Co.
14
15 Greg Patterson, Director
16 Water Utility Association of Arizona
17 916 West Adams, Suite 3
18 Phoenix, AZ 85007
19
20 Joan S. Burke
21 Law Office of Joan S. Burke
22 1650 N. First Avenue
23 Phoenix, AZ 85003
24 Attorney for Corte Bella
25
26 Kenneth Hewitt
18729 N. Palermo Court
Surprise, AZ 85387
Michele L. Van Quathem
Ryley Carlock & Applewhite, P.A.
One North Central Avenue, Suite 1200
Phoenix, AZ 85004
Attorneys for Verrado and DMB White Tank, LLC
Michelle Wood, Counsel
Residential Utility Consumer Office
1110 West Washington Street, Suite 220
Phoenix, AZ 85007
Lyn Farmer
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007-2927
Jay Shapiro, Esq.
Fennemore Craig
3003 N. Central Ave., Suite 2600
Phoenix, AZ 85012
Attorneys for EPCOR
Peggy H. Rakhola, President
Arizona Traditions HOA

- 1 17221 N. Citrus
Surprise, AZ 85374
- 2 Paul Briningstool
Ashton Ranch HOA
3 PO Box 9151
Surprise, AZ 85374
4
- 5 Tony DeSanti, President
Clearwater Farms Unit II POA
7710 N. 175th Ave.
6 Waddell, AZ 85355
- 7 Owen Dejanovich, President
Clearwater Farms III HOA
8 PO Box 72
Waddell, AZ 85355
9
- 10 Jerome M. Ellison II, President
Cortessa Community Association
PO Box 25466
11 Tempe, AZ 85285-5466
- 12 Jared Evenson, President
Cross River HOA
13 1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282
14
- 15 Mike Orose
Crystal Springs Estates HOA
8407 N. 178th Ave.
16 Waddell, AZ 85355
- 17 Kevin Chiarello
Greer Ranch South HOA
18 16074 W. Christy
Surprise, AZ 85379
19
- 20 Jim Weihman, Vice President
Happy Trails Community Association
17200 W. Bell Road
21 Surprise, AZ 85374
- 22 Ken Peterson, President
Jackrabbit Estates HOA
23 dba Arroyo Mountain Estates HOA
1600 W. Broadway Rd., Suite 200
24 Tempe, AZ 85282
- 25 William P. Lipscomb, President
Kingswood Parke Community Association
26 14976 W. Bottletree Ave.
Surprise, AZ 85374

1 Jim Oravetz, President
Legacy Parc South HOA
1600 W. Broadway Rd., Suite 200
2 Tempe, AZ 85282

3 Jeanne Stockard, Sr. Property Mgr.
R&R Property Mangement LLC
4 Northwest Ranch HOA
4742 N. 24th St., Suite 325
5 Phoenix, AZ 85016

6 Pauline A. Harris Henry
The Russell Ranch HOA
7 17936 W. Solano Drive
Litchfield Park, AZ 85340

8 G. Thomas Hennessy, President
9 Savannah HOA
1600 W. Broadway Rd., Suite 200
10 Tempe, AZ 85282

11 Mike Smith, President
Sierra Montana HOA
12 c/o Rossmar & Graham
15396 N. 83rd Ave., Bldg. B – Suite 101
13 Peoria, AZ 85381

14 Susan Harr, President
Summerfield at Litchfields Subdivision HOA
15 c/o Northwest Valley Realty
13201 N. 35th Ave., Suite B-3
16 Phoenix, AZ 85029

17 Stan Mucha, President
Sun Village Community Association
17300 N. Sun Village Parkway
18 Surprise, AZ 85374

19 Dana Rosenbaum, Secretary
Surprise Farms Comm. Assoc., Phase 1A
20 PO Box 25466
Tempe, AZ 85285-5466

21 Raul Muniz, President
22 Surprise Farms II Community Association
17191 W. Tara Lane
23 Surprise, AZ 85388

24 Nicholas Mascia, President
Surprise Farms III Community Association
25 1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282

26 G. Thomas Hennessy, President
Surprise Farms 5 Community Association

- 1 1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282
- 2 Jan Garcia, President
- 3 Sycamore Estates Parcel 13 Community Association
- 4 1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282
- 5 Dana Miller, President
- 6 Western Meadows HOA, Inc.
- 7 1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282
- 8 Frederick G. and Mary L. Botha
- 9 23024 N. Giovota Drive
- 10 Sun City West, AZ 85375
- 11 Peter and Rochanne Corpus
- 12 8425 N. 181st Drive
- 13 Waddell, AZ 85355
- 14 Thomas and Laurie Decatur
- 15 8426 N. 181st Drive
- 16 Waddell, AZ 85355
- 17 Timothy L. and Cindy J. Duffy
- 18 19997 N. Half Moon Drive
- 19 Surprise, AZ 85374-4747
- 20 William and Erin Parr
- 21 18044 W. Georgia Court
- 22 Litchfield Park, AZ 85034
- 23 Craig and Nancy Plummer
- 24 17174 W. Saguaro Lane
- 25 Surprise, AZ 85388
- 26 Sharon Wolcott
- 20117 N. Painted Cove Lane
- Surprise, AZ 85387

21 By: *Ami Cooper*