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Resolution of
the Board of Directors of
Surprise Farms III Community Association

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

WHEREAS, Article VII, Section 1(c) of the Bylaws of the Surprise Farms III Community Association gives the Board of Directors (the "Board") the power to exercise for the Surprise Farms III Community Association (the "Association") all powers, duties or authority vested in the Association and not reserved to the membership;

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

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

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

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

WHEREAS, Arizona Supreme Court Rule 31(d)(28) provides that a non-profit corporation may be represented before the Commission by a corporate officer, employee, or a member who is not an active member of the state bar, if: (a) the non-profit corporation has specifically authorized the officer, employee, or member to represent it in the particular matter; (b) such representation is not the person's primary duty to the non-profit corporation, but is secondary or incidental to such person's duties relating to the 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;

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

WHEREAS, the Board desires to authorize its President, Nicholas Mascia, to represent the Association in the Rate Case;

WHEREAS, the Board avers that such representation is not the President's primary duty to the Association, but is incidental to his duties as President of the Board

1 of Directors and that the President will not be compensated (other than reimbursement for
2 costs) for such representation; and

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

5 **NOW, THEREFORE, IT IS RESOLVED**, that the Board authorizes its
6 President, Nicholas Mascia, to intervene in Rate Case Docket No. W-01303A-10-0448,
7 on behalf of the Association; and

8 **IT IS FURTHER RESOLVED**, that the Board authorizes its President, Nicholas
9 Mascia, to represent the Association in the Rate Case, to take all action necessary to
10 protect the Association's interests in the Rate Case, and to report back to the Board
11 accordingly.

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

13 
14 Nicholas Mascia, President

15 **Certificate of Service**

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

19 Docket Control
20 Arizona Corporation Commission
21 1200 West Washington Street
22 Phoenix, AZ 85007

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

25 Teena Jibilian, Administrative Law Judge
26 Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

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

Janice Alward, Chief Counsel
Charles Hains, Attorney
Legal Division

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

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

1 Surprise, AZ 85374

2 Jim Oravetz, President
3 Legacy Parc South HOA
4 1600 W. Broadway Rd., Suite 200
5 Tempe, AZ 85282

6 Jeanne Stockard, Sr. Property Mgr.
7 R&R Property Mangement LLC
8 Northwest Ranch HOA
9 4742 N. 24th St., Suite 325
10 Phoenix, AZ 85016

11 Pauline A. Harris Henry
12 The Russell Ranch HOA
13 17936 W. Solano Drive
14 Litchfield Park, AZ 85340

15 G. Thomas Hennessy, President
16 Savannah HOA
17 1600 W. Broadway Rd., Suite 200
18 Tempe, AZ 85282

19 Mike Smith, President
20 Sierra Montana HOA
21 c/o Rossmar & Graham
22 15396 N. 83rd Ave., Bldg. B – Suite 101
23 Peoria, AZ 85381

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

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

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

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

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

1 G. Thomas Hennessy, President
2 Surprise Farms 5 Community Association
3 1600 W. Broadway Rd., Suite 200
4 Tempe, AZ 85282

3 Jan Garcia, President
4 Sycamore Estates Parcel 13 Community Association
5 1600 W. Broadway Rd., Suite 200
6 Tempe, AZ 85282

6 Dana Miller, President
7 Western Meadows HOA, Inc.
8 1600 W. Broadway Rd., Suite 200
9 Tempe, AZ 85282

8 Frederick G. and Mary L. Botha
9 23024 N. Giovota Drive
10 Sun City West, AZ 85375

10 Peter and Rochanne Corpus
11 8425 N. 181st Drive
12 Waddell, AZ 85355

12 Thomas and Laurie Decatur
13 8426 N. 181st Drive
14 Waddell, AZ 85355

14 Timothy L. and Cindy J. Duffy
15 19997 N. Half Moon Drive
16 Surprise, AZ 85374-4747

16 William and Erin Parr
17 18044 W. Georgia Court
18 Litchfield Park, AZ 85034

18 Craig and Nancy Plummer
19 17174 W. Saguaro Lane
20 Surprise, AZ 85388

20 Sharon Wolcott
21 20117 N. Painted Cove Lane
22 Surprise, AZ 85387

22 By: *Yoni Cooper*
23

24
25
26