

1 Resolution of
2 the Board of Directors of
3 Sycamore Estates Parcel 13 Community Association

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

6 **WHEREAS**, the Nonprofit Corporation Act allows the Sycamore Estates Parcel
7 13 Community Association (the "Association") to sue and be sued, complain and defend
8 in its corporate name;

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

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

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

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

26 **WHEREAS**, the Board of Directors of the Association (the "Association")
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, Jan Garcia, 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 her duties as President of the Board
of Directors and that the President will not be compensated (other than reimbursement for
costs) for such representation; and

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