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**BEFORE THE ARIZONA CORPORATION COMMISSION**

Arizona Corporation Commission

**COMMISSIONERS**

2011 SEP 15 P 3:29

**DOCKETED**

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

SEP 15 2011

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 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  
CLEARWATER FARMS UNIT II  
PROPERTY OWNERS  
ASSOCIATION'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, Clearwater Farms Unit II Property Owners Association (the "Association") hereby files a Resolution of the Board of Directors of the Association authorizing its President, Tony DeSanti, to represent the Association in the above-captioned matter.

DATED this 12<sup>th</sup> day of September, 2011.

**CLEARWATER FARMS UNIT  
II PROPERTY OWNERS  
ASSOCIATION**

**Tony DeSanti  
President, Board of Directors  
Clearwater Farms Unit II Property  
Owners Association**

1 Resolution of  
2 the Board of Directors of  
3 Clearwater Farms Unit II Property Owners Association

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

6 **WHEREAS**, the Nonprofit Corporation Act allows the Clearwater Farms Unit II  
7 Property Owners Association (the "Association") to sue and be sued, complain and  
8 defend 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 members are customers of the Company's Agua  
17 Fria Water 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 "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, Tony DeSanti, 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  
of Directors and that the President will not be compensated (other than reimbursement for  
costs) for such representation; and



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23 By: *Amie Cooper*

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