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Resolution of
the Board of Directors of
Surprise Farms II 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 II Community Association gives the Board of Directors (the "Board") the power to exercise for the Surprise Farms II 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, Raul Muniz, to represent the Association in the Rate Case;

1 **WHEREAS**, the Board avers that such representation is not the President's
2 primary duty to the Association, but is incidental to his duties as President of the Board
3 of Directors and that the President will not be compensated (other than reimbursement for
4 costs) for such representation; and

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

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

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

14 The Board of Directors adopted the above-referenced resolution on September ^{7th}12, 2011.

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Raul Muniz, President

Certificate of Service

17 **ORIGINAL** and thirteen (13) copies
18 of the foregoing filed this 5th day of
19 September, 2011 with:

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

24 **COPY** of the foregoing hand-delivered
25 this 5th day of September 2011 to:

26 Teena Jibilian, Administrative Law Judge
 Legal Division
 Arizona Corporation Commission
 1200 W. Washington Street
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1 **COPIES** of the foregoing mailed
this 15th day of September 2011 to:

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- By: *Eric Cooper*