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Resolution of  
the Board of Directors of  
Happy Trails Community Association

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

**WHEREAS**, Article III, Section 2 of the Bylaws of Happy Trails Community Association gives the Board of Directors (the "Board") the powers and duties necessary for the administration of the affairs of the Happy Trails Community Association (the "Association"), and to do all such acts and things as are not by law or otherwise directed to be exercised and done by the Members;

**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 Vice President, Jim Weihman, to represent the Association in the Rate Case;

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

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

7           **NOW, THEREFORE, IT IS RESOLVED**, that the Board authorizes its Vice  
8 President, Jim Weihman, 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 Vice President, Jim  
11 Weihman, 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 13, 2011.

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\_\_\_\_\_  
Jim Weihman, Vice President

15           **Certificate of Service**

16           **ORIGINAL** and thirteen (13) copies  
17 of the foregoing filed this 16<sup>th</sup> 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 16<sup>th</sup> day of September 2011 to:

25           Teena Jibilian, Administrative Law Judge  
26           Legal Division  
27           Arizona Corporation Commission  
28           1200 W. Washington Street  
29           Phoenix, AZ 85007

1 **COPIES** of the foregoing mailed  
this 16<sup>th</sup> day of September 2011 to:

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26 By: *Uni Cooper*