

ORIGINAL



0000129762

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

2011 SEP 16 P 3:34

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP 16 2011

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 SURPRISE  
FARMS COMMUNITY  
ASSOCIATION PHASE 1A'S  
MOTION TO INTERVENE

Pursuant to the Administrative Law Judge's August 25, 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, Surprise Farms Community Association Phase 1A (the "Association") hereby files a Resolution of the Board of Directors of the Association authorizing its Secretary, Dana Rosenbaum, to represent the Association in the above-captioned matter.

DATED this 12 day of September, 2011.

SURPRISE FARMS COMMUNITY  
ASSOCIATION PHASE 1A

Secretary, Board of Directors  
Surprise Farms Community  
Association Phase 1A

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Resolution of  
the Board of Directors of  
Surprise Farms Community Association Phase 1A

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

**WHEREAS**, the Nonprofit Corporation Act allows the Surprise Farms Phase 1A Community Association (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 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 Secretary, Dana Rosenbaum, to represent the Association in the Rate Case;

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

1           **WHEREAS**, the Board voted unanimously to authorize its Secretary to take all  
2 action necessary to protect the Association's interests in the Rate Case.

3           **NOW, THEREFORE, IT IS RESOLVED**, that the Board authorizes its  
4 Secretary, Dana Rosenbaum, to intervene in Rate Case Docket No. W-01303A-10-0448,  
5 on behalf of the Association; and

6           **IT IS FURTHER RESOLVED**, that the Board authorizes its Secretary, Dana  
7 Rosenbaum, to represent the Association in the Rate Case, to take all action necessary to  
8 protect the Association's interests in the Rate Case, and to report back to the Board  
9 accordingly.

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

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
  
Dana Rosenbaum, Secretary

11           **Certificate of Service**

12  
13           **ORIGINAL** and thirteen (13) copies  
14 of the foregoing filed this 16<sup>th</sup> day of  
15 September, 2011 with:

16           Docket Control  
17 Arizona Corporation Commission  
18 1200 West Washington Street  
19 Phoenix, AZ 85007

20           **COPY** of the foregoing hand-delivered  
21 this 16<sup>th</sup> day of September 2011 to:

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

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

          Janice Alward, Chief Counsel  
          Charles Hains, Attorney  
          Legal Division  
          Arizona Corporation Commission  
          1200 West Washington  
          Phoenix, AZ 85007

- 1 Steve Olea, Director  
Utilities Division  
2 Arizona Corporation Commission  
1200 West Washington  
3 Phoenix, AZ 85007
- 4 Thomas H. Campbell  
Michael T. Hallam  
5 Lewis and Roca LLP  
40 North Central Avenue  
6 Phoenix, AZ 85004  
Attorneys for Arizona-American Water Co.  
7
- 8 Greg Patterson, Director  
Water Utility Association of Arizona  
916 West Adams, Suite 3  
9 Phoenix, AZ 85007
- 10 Joan S. Burke  
Law Office of Joan S. Burke  
11 1650 N. First Avenue  
Phoenix, AZ 85003  
12 Attorney for Corte Bella
- 13 Kenneth Hewitt  
18729 N. Palermo Court  
14 Surprise, AZ 85387
- 15 Michele L. Van Quathem  
Ryley Carlock & Applewhite, P.A.  
16 One North Central Avenue, Suite 1200  
Phoenix, AZ 85004  
17 Attorneys for Verrado and DMB White Tank, LLC
- 18 Michelle Wood, Counsel  
Residential Utility Consumer Office  
19 1110 West Washington Street, Suite 220  
Phoenix, AZ 85007  
20
- 21 Lyn Farmer  
Arizona Corporation Commission  
1200 W. Washington St.  
22 Phoenix, AZ 85007-2927
- 23 Jay Shapiro, Esq.  
Fennemore Craig  
24 3003 N. Central Ave., Suite 2600  
Phoenix, AZ 85012  
25 Attorneys for EPCOR
- 26 Peggy H. Rakhola, President  
Arizona Traditions HOA  
17221 N. Citrus

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

1 Legacy Parc South HOA  
1600 W. Broadway Rd., Suite 200  
2 Tempe, AZ 85282

3 Jeanne Stockard, Sr. Property Mgr.  
R&R Property Mangement LLC  
Northwest Ranch HOA  
4 4742 N. 24<sup>th</sup> St., Suite 325  
5 Phoenix, AZ 85016

6 Pauline A. Harris Henry  
The Russell Ranch HOA  
17936 W. Solano Drive  
7 Litchfield Park, AZ 85340

8 G. Thomas Hennessy, President  
Savannah HOA  
9 1600 W. Broadway Rd., Suite 200  
10 Tempe, AZ 85282

11 Mike Smith, President  
Sierra Montana HOA  
c/o Rossmar & Graham  
12 15396 N. 83<sup>rd</sup> Ave., Bldg. B – Suite 101  
13 Peoria, AZ 85381

14 Susan Harr, President  
Summerfield at Litchfields Subdivision HOA  
c/o Northwest Valley Realty  
15 13201 N. 35<sup>th</sup> Ave., Suite B-3  
Phoenix, AZ 85029

16 Stan Mucha, President  
Sun Village Community Association  
17 17300 N. Sun Village Parkway  
18 Surprise, AZ 85374

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

21 Raul Muniz, President  
Surprise Farms II Community Association  
22 17191 W. Tara Lane  
23 Surprise, AZ 85388

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

26 G. Thomas Hennessy, President  
Surprise Farms 5 Community Association  
1600 W. Broadway Rd., Suite 200

1 Tempe, AZ 85282

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

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

10 Frederick G. and Mary L. Botha  
11 23024 N. Giovota Drive  
12 Sun City West, AZ 85375

13 Peter and Rochanne Corpus  
14 8425 N. 181<sup>st</sup> Drive  
15 Waddell, AZ 85355

16 Thomas and Laurie Decatur  
17 8426 N. 181<sup>st</sup> Drive  
18 Waddell, AZ 85355

19 Timothy L. and Cindy J. Duffy  
20 19997 N. Half Moon Drive  
21 Surprise, AZ 85374-4747

22 William and Erin Parr  
23 18044 W. Georgia Court  
24 Litchfield Park, AZ 85034

25 Craig and Nancy Plummer  
26 17174 W. Saguaro Lane  
Surprise, AZ 85388

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

By: *Erni Cooper*