

ORIGINAL



0000132923

1 Curtis S. Ekmark, #014773
2 Lynn M. Krupnik, #017311
3 Jason F. Wood, #027153
4 Ekmark & Ekmark, L.L.C.
5 6720 N. Scottsdale Road, Suite 261
6 Scottsdale, Arizona 85253
7 (480) 922-9292
8 Fax (480) 922-9422
9 jwood@ekmarklaw.com

RECEIVED

2011 DEC 15 A 11: 00

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DEC 15 2011

DOCKETED BY

Attorneys for the Class

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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

**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 PLANT
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
**CLASS OF HOMEOWNERS
ASSOCIATIONS' NOTICE
OF FILING TESTIMONY OF
MITZI MILLS**

The Class of homeowners associations hereby files the Testimony of Mitzi Mills in

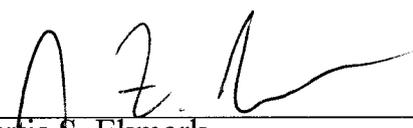
///

///

1 the above-referenced matter.

2 RESPECTFULLY SUBMITTED this 15th day of December, 2011.

3
4 EKMARK & EKMARK, L.L.C.

5
6 
7 Curtis S. Ekmark
8 Lynn M. Krupnik
9 Jason F. Wood
6720 N. Scottsdale Rd., Suite 261
Scottsdale, AZ 85253
Attorneys for the Class

10 ORIGINAL and thirteen (13) copies
11 of the foregoing filed this 15th day of
December, 2011, with:

12 Docket Control
13 Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

14 COPY of the foregoing hand-delivered
15 this 15th day of December 2011 to:

16 Dwight Nodes, Administrative Law Judge
17 Legal Division
Arizona Corporation Commission
18 1200 W. Washington Street
Phoenix, AZ 85007

19 COPIES of the foregoing mailed
20 this 15th day of December 2011 to:

21 Janice Alward, Chief Counsel
Charles Hains, Attorney
22 Legal Division
Arizona Corporation Commission
23 1200 West Washington
Phoenix, AZ 85007

24 Steve Olea, Director
25 Utilities Division
Arizona Corporation Commission
26 1200 West Washington
Phoenix, AZ 85007

- 1 Thomas H. Campbell, Esq.
Michael T. Hallam, Esq.
Lewis and Roca LLP
- 2 40 North Central Avenue
Phoenix, AZ 85004
- 3 Attorneys for Arizona-American Water Co.

- 4 Greg Patterson, Director
Water Utility Association of Arizona
- 5 916 West Adams, Suite 3
Phoenix, AZ 85007

- 6 Joan S. Burke, Esq.
Law Office of Joan S. Burke
- 7 1650 N. First Avenue
Phoenix, AZ 85003
- 8 Attorney for Corte Bella

- 9 Michele L. Van Quathem
Ryley Carlock & Applewhite, P.A.
- 10 One North Central Avenue, Suite 1200
Phoenix, AZ 85004
- 11 Attorneys for Verrado and DMB White Tank, LLC

- 12 Michelle Wood, Counsel
Residential Utility Consumer Office
- 13 1110 West Washington Street, Suite 220
Phoenix, AZ 85007

- 14 Lyn Farmer
Arizona Corporation Commission
- 15 1200 W. Washington St.
Phoenix, AZ 85007-2927

- 16 Jay Shapiro, Esq.
Fennemore Craig
- 17 3003 N. Central Ave., Suite 2600
Phoenix, AZ 85012
- 18 Attorneys for EPCOR

- 19 Michael D. Bailey, City Attorney
City of Surprise
- 20 16000 N. Civic Center Plaza
Surprise, AZ 85374
- 21 Attorney for City of Surprise

- 22 Garry Hays, Esq.
1702 E. Highland Ave., Suite 204
Phoenix, AZ 85016
- 23 Attorney for Cross River HOA

- 24 Frederick G. and Mary L. Botha
23024 N. Giovota Drive
Sun City West, AZ 85375

- 1 Peter and Rochanne Corpus
8425 N. 181st Drive
- 2 Waddell, AZ 85355
- 3 Thomas and Laurie Decatur
8426 N. 181st Drive
- 4 Waddell, AZ 85355
- 5 Timothy L. and Cindy J. Duffy
19997 N. Half Moon Drive
- 6 Surprise, AZ 85374-4747
- 7 William and Erin Parr
18044 W. Georgia Court
- 8 Litchfield Park, AZ 85340
- 9 Craig and Nancy Plummer
17174 W. Saguaro Lane
- 10 Surprise, AZ 85388
- 11 Sharon Wolcott
20117 N. Painted Cove Lane
- 12 Surprise, AZ 85387
- 13 Brian O'Neal
21373 W. Brittle Bush Lane
- 14 Buckeye, AZ 85396
- 15 Mike Albertson
6634 N. 176th Ave.
- 16 Waddell, AZ 85355

17
18 By: 

- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

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

DOCKET NO. W-01303A-10-0448

**TESTIMONY OF
MITZI MILLS**

**ON BEHALF OF
THE CLASS OF HOMEOWNERS ASSOCIATIONS**

December 15, 2011

1 **I. INTRODUCTION**

2
3 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

4 A. My name is Mitzi Mills, PCAM, CMCA. My business address is 19726 N.
5 Remington Drive, Surprise, Arizona 85374.
6

7
8 **Q. WHAT IS YOUR PROFESSIONAL AND EDUCATIONAL**
9 **BACKGROUND?**

10 A. I am the Executive Director of Sun City Grand Community Association, an
11 association comprised of close to 10,000 homes and representing over
12 16,000 residents. I have been active in community association management
13 since 1987, starting as an accountant for a Phoenix builder that specialized
14 in luxury adult lifestyle condominiums and later transitioning to the
15 Community Association Manager. I obtained a Professional Community
16 Association Manager Designation in 1992 and was one of the first 430
17 people to receive this designation. In addition to my position at Sun City
18 Grand, I am also the Treasurer of West Valley Homeowner Associations,
19 an organization that educates Board Members and Association volunteers
20 on all aspects of Community Association Management with the ultimate
21 goal of building community. West Valley HOA has a strong focus on
22 Arizona State Legislation that affects community living.
23
24
25
26

1 **II. PURPOSE OF TESTIMONY**

2 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

3
4 A. The purpose of my testimony on behalf of Sun City Grand, as the
5 designated representative for the Class of Homeowners Associations, is to
6 support the proposed settlement agreement by and among the parties (the
7 “Settlement”) in this case.
8
9

10 **III. SETTLEMENT**

11 **Q. HOW WAS THE CLASS OF HOMEOWNERS ASSOCIATIONS**
12 **FORMED?**

13
14 A. After the period for intervention was re-opened on August 2, 2011, several
15 individual ratepayers and homeowners associations intervened in the rate
16 case. On September 8, 2011, Arizona-American Water Company filed a
17 Motion for Declaration of Intervenor Classes asking the Hearing Officer to
18 declare as a class of intervenors all homeowners associations granted
19 intervention. Sun City Grand Community Association filed a response to
20 that Motion, noting that it did not oppose the formation of such a class, so
21 long as Sun City Grand was designated the class representative and the
22 class was afforded its due process rights.
23
24

25 Subsequently, at a procedural conference held on September 19,
26 2011, the Hearing Officer declared certain homeowners associations a

1 Class of intervenors and designated Sun City Grand Community

2 Association as the class representative (the "Class").

3 **Q. WHAT HOMEOWNERS ASSOCIATIONS ARE INCLUDED IN**
4 **THE CLASS?**

5 A. The Class consists of 18 homeowners associations, with Sun City Grand as
6 the designated class representative. In particular, the Class is comprised of:
7
8 (1) Sun City Grand Community Association; (2) Arizona Traditions
9 Homeowners Association; (3) Clearwater Farms Unit II Property Owners
10 Association; (4) Clearwater Farms Unit III Property Owners Association;
11
12 (5) Cortessa Community Association; (6) Greer Ranch South Homeowners
13 Association; (7) Happy Trails Community Association; (8) Legacy Parc
14 South Homeowners Association; (9) Northwest Ranch Community
15 Association; (10) Russell Ranch Homeowners Association; (11)
16 Summerfield at Litchfield Subdivision Homeowners Association; (12) Sun
17 Village Community Association; (13) Surprise Farms Phase 1A
18 Community Association; (14) Surprise Farms II Community Association;
19
20 (15) Surprise Farms III Community Association; (16) Sycamore Estates
21 Parcel 13 Community Association; (17) Kingswood Parke Community
22 Association; and (18) Sierra Montana Community Association.
23

24
25 **Q. WHY DOES SUN CITY GRAND SUPPORT THE SETTLEMENT?**
26

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

A. After considering the attendant risks, expenses, and uncertainty associated with continued protracted litigation, Sun City Grand, in its business judgment, has concluded that the Settlement is in its best interest. For these reasons, Sun City Grand supports the Settlement.

Q. DOES THIS COMPLETE YOUR TESTIMONY?

A. Yes.