

# INTERVENTION



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BEFORE THE ARIZONA CORPORATION COMMISSION

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IN THE MATTER OF REORGANIZATION ) DOCKET NO. E-04230A-14-0011  
OF UNS ENERGY CORPORATION ) DOCKET NO. E-01933A-14-0011

**ORIGINAL**

) **SOUTHERN ARIZONA**  
) **HOMEBUILDER ASSOCIATION'S**  
) **APPLICATION FOR LEAVE TO**  
) **INTERVENE**

Pursuant to A.A.C. R14-3-105 Southern Arizona Homebuilders Association ("SAHBA"), hereby makes Application for Leave to Intervene ("Application") in the above-captioned and above-docketed proceeding ("Instant Proceeding"). In support of its Application, SAHBA submits the following information.

**I.**

**DESCRIPTION OF SAHBA**

SAHBA is a member trade organization with 340 dues-paying members, which includes Home Builders, Developers, and Associate Members. SAHBA was incorporated in 1952, and its coverage area from the National Association of Home Builders includes Pima, Cochise and Santa Cruz Counties. SAHBA is a 501(C)(6) organization under the United States Internal Revenue Code.

SAHBA represents building industry professionals ranging from builders, developers, land planners, architects, engineers, environmental consultants, trade contractors, banking and mortgage, real estate, and the many supporting disciplines necessary to create, sell, remodel, furnish and maintain new homes and communities throughout Southern Arizona. SAHBA provides a venue for its members to share information and to network with other professionals involved in the home building industry. SAHBA serves as an advocate for its membership and

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1 keeps them apprised of changes in regulatory and governmental matters that will affect their  
2 businesses, and participates in regulatory proceedings as appropriate. SAHBA serves as the  
3 sponsoring organization of a semi-annual home show allowing members and other merchants to  
4 gather and showcase the latest in home improvement and indoor and outdoor living areas.

5 In connection with the foregoing, SAHBA actively participated as an advocate on behalf of  
6 its membership in the proceedings in Docket Nos. E-01933A-07-0402 and E-01933A-05-0650,  
7 which resulted in the Commission's issuance of Decision No. 72501. That decision reinstated  
8 Tucson Electric Power Company's ("TEP") historical line extension tariff provisions, which  
9 previously had been "removed" by TEP pursuant to the Commission's Decision No. 70628. In  
10 addition, SAHBA actively participated as an advocate on behalf of its membership in the  
11 proceedings in Docket No. W-01933A-12-0291, which was TEP's most recent rate case; and,  
12 SAHBA was a signatory party to the Settlement Agreement reached in that proceeding which was  
13 approved by the Commission in Decision No. 73912.

14 **II.**

15 **SAHBA AND ITS MEMBERS COULD BE SUBSTANTIALLY**  
16 **AND DIRECTLY AFFECTED BY A COMMISSION DECISION**  
17 **IN THE INSTANT PROCEEDING**

18 On January 10, 2014, UNS Energy Corporation ("UNS Energy") and Fortis, Inc. ("Fortis")  
19 filed a Joint Notice of Intent to Reorganize pursuant to AAC R14-2-801 et seq. describing a  
20 proposed reorganization which would ultimately result in the merger of UNS Energy and Fortis, if  
21 approved by the Commission as requested by UNS Energy and Fortis. The governance provisions  
22 of the merger agreement between UNS Energy and Fortis provide that within a few years  
23 following completion of the merger Fortis will occupy a dominant role in determining the  
24 composition of the Board(s) of Directors for UNS Energy and its utility affiliates, TEP, UNS  
25 Electric and UNS Gas. In that regard, Fortis will also be in a position to substantially influence the  
26 policies of UNS Energy and its utility affiliates with respect to relationships with their respective  
27 ratepayers and the communities within which they provide service.

28 In that regard, both as ratepayers and as residents and businesses within the communities in

1 which TEP provides electric service, SAHBA and its members have shared a mutually beneficial  
2 relationship with TEP as the local electric service provider. On more than one (1) occasion, TEP  
3 has been both attentive and responsive to the concerns and needs of SAHBA and its members. It is  
4 SAHBA's hope that this positive and ongoing historic collaborative relationship will be continued  
5 into the future, in the event that the proposed merger is approved by the Commission.

6 Against the above background, SAHBA has concluded that its participation in the Instant  
7 Proceeding on behalf of both SAHBA and its members is necessary and appropriate. Clearly,  
8 SAHBA and its members could be substantially and directly affected by a Commission decision  
9 approving the proposed merger. Further, there is no other person or entity best qualified to  
10 articulate and advance the interests of SAHBA and its members in the Instant Proceeding.

11 **III.**

12 **SAHBA'S INTERVENTION WOULD NOT DELAY THE**  
13 **INSTANT PROCEEDING OR UNDULY BROADEN ISSUES**

14 As of this juncture, SAHBA does not anticipate a need to raise any new matters. Rather, it  
15 contemplates participating in the proceeding and addressing to the extent necessary (i) those  
16 questions and/or issues which may exist at this time as a result of UNS Energy's and Fortis'  
17 aforesaid Joint Notice of Intent to Reorganize and supporting testimony, or (ii) which may  
18 hereafter be raised by the Commission's Staff and/or other parties. Thus, its intervention will not  
19 unduly broaden the issues to be considered.

20 **IV.**

21 **CONCLUSION**

22 Based upon the foregoing, SAHBA believes that it has satisfied the requirements for  
23 intervention set forth in A.A.C. R-14-3-105. Accordingly, it requests that an appropriate order of  
24 the Commission be issued granting SAHBA's Application, and according SAHBA all rights as a  
25 party of record in the Instant Proceeding.

26  
27 Dated this 14<sup>th</sup> day of April 2014.

Respectfully submitted,

Lawrence V. Robertson, Jr.

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Attorney for Southern Arizona Homebuilders  
Association

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The original and thirteen (13) copies  
of the foregoing will be filed  
this 14<sup>th</sup> day of April 2014 with:

Docket Control Division  
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1200 West Washington Street  
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A copy of the same served by e-mail  
or first class mail that same date to:

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