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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE TOWN OF
FOUNTAIN HILLS' FORMAL COMPLAINT
AGAINST CHAPARRAL CITY WATER
COMPANY

Docket No. W-02113A-14-0359

ORIGINAL

RUCO'S REPLY TO THE COMPANY'S RESPONSE TO RUCO'S APPLICATION TO INTERVENE

The Residential Utility Consumer Office ("RUCO"), hereby responds to the Company's Response to RUCO's Application to Intervene in this matter. RUCO believes that the Company's Request to deny RUCO's Application to Intervene should be rejected.

While interesting, each and every one of the Company's arguments are irrelevant. The governing Commission Rule is straight forward:

R14-3-105. Intervention as party and other appearances

- A. Intervention. Persons, other than the original parties to the proceedings, who are directly and substantially affected by the proceedings, shall secure an order from the Commission or presiding officer granting leave to intervene before being allowed to participate. (Emphasis added)
- B. Application. An application for leave to intervene shall be in writing and must state the basis for the application. Such application shall be served and filed by an applicant at least five days before the proceeding is called for hearing. No application for leave to intervene shall be granted where by so doing the issues theretofore presented will be unduly broadened, except upon leave of the Commission first had and received. Upon the granting of an application to intervene by the Commission or the presiding officer, the intervening person shall thereafter be designated an "Intervenor".

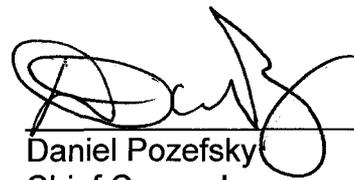
1 RUCO is an entity which will be directly and substantially affected by the Town's
2 Complaint. The Town requests that the Company be ordered to show cause why its rates are
3 not just and reasonable and have the Commission order the Company to cease and desist
4 under A.R.S. Section 40-246(A). The Complaint is accompanied by many letters written by
5 RUCO's constituents complaining of the unreasonable rate and asking for relief. The
6 Company overlooks this point which is the whole argument.

7 Rather, the Company argues that RUCO's intervention is for the purpose of re-litigating
8 the rate case, is unnecessary, and is nothing more than an attack of the Commission's earlier
9 final decisions. These arguments may be germane to the Company's Motion to Dismiss the
10 Town's Complaint but have no bearing on the issue of RUCO's Application to intervene.

11 **CONCLUSION**

12 There is no question that the Company's Complaint directly effects RUCO's
13 constituency - the ratepayers of Fountain Hills, and hence effects RUCO. The Company's
14 request to deny RUCO intervention should be dismissed.

15 RESPECTFULLY SUBMITTED this 4th day of December, 2014.

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18 Daniel Pozefsky
Chief Counsel

19 AN ORIGINAL AND THIRTEEN COPIES
20 of the foregoing filed this 4th day
of December, 2014 with:

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