

1 Timothy M. Hogan (004567)  
2 ARIZONA CENTER FOR LAW  
3 IN THE PUBLIC INTEREST  
4 202 E. McDowell Rd., Suite 153  
5 Phoenix, Arizona 85004  
6 (602) 258-8850

7 Attorneys for Western Resource Advocates

8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

9 JEFF HATCH-MILLER, CHARIMAN  
10 WILLIAM A. MUNDELL  
11 MARC SPITZER  
12 MIKE GLEASON  
13 KRISTIN K. MAYES

14 IN THE MATTER OF THE APPLICATION OF  
15 ARIZONA PUBLIC SERVICE COMPANY FOR  
16 A HEARING TO DETERMINE THE FAIR  
17 VALUE OF THE UTILITY PROPERTY OF THE  
18 COMPANY FOR RATE MAKING PURPOSES,  
19 TO FIX A JUST AND REASONABLE RATE OF  
20 RETURN THEREON, TO APPROVE RATE  
21 SCHEDULES DESIGNED TO DEVELOP SUCH  
22 RETURN, AND TO AMEND DECISION NO.  
23 67744

Docket No. E-01345A-05-0816

**MOTION TO INTERVENE  
OF WESTERN RESOURCE  
ADVOCATES**

24 Pursuant to the Rules of Practice and Procedure of the Arizona Corporation Commission  
25 (Commission), Western Resource Advocates (WRA) hereby moves to intervene in the above-  
captioned docket and, in support thereof, states as follows:

1. WRA is a regional environmental law and policy center serving the Rocky Mountain and Desert Southwest states. WRA has been involved in proceedings before the Commission for nearly fifteen years and has been granted intervenor status in numerous dockets. As part of this work, WRA has represented a number of other Arizona non-profit organizations

1 on energy issues. WRA has a board member, staff and members who live and recreate in  
2 Arizona and/or are APS electric ratepayers.

3           2.       WRA's Energy Program promotes policies and programs designed to encourage  
4 the development of clean energy power production technologies, energy efficiency, renewable  
5 resources, distributed generation, and other measures that help reduce the environmental impacts  
6 of meeting the demand for energy services and encourage sustainable rural economic  
7 development, while minimizing the costs and risks to ratepayers of fuel price volatility and  
8 environmental regulatory requirements. It has appeared in rate proceedings before the  
9 Commission and in other state and federal regulatory forums to recommend, among other things,  
10 improvements in rate design for sending efficient price signals and cost recovery mechanisms for  
11 investments in renewable energy and energy efficiency. WRA was an intervenor in APS's last  
12 rate case and was a party to the settlement agreement in that docket.

14           3.       Intervention by WRA will not unduly broaden the issues or delay the proceeding.  
15 WRA does not yet know what position it will take in this proceeding.

16           4.       WRA requests that all pleadings, correspondence, discovery, and other documents  
17 be served on the following:

18                   Timothy M. Hogan  
19                   Arizona Center for Law in the Public Interest  
20                   202 E. McDowell Road, Suite 153  
21                   Phoenix, AZ 85004  
22                   (602) 258-8850  
23                   fax (602) 258-8757  
24                   thogan@aclpi.org

25                   David Berry  
26                   Western Resource Advocates  
27                   P.O. Box 1064  
28                   Scottsdale, AZ 85252-1064  
29                   (480) 990-7209 (fax is the same)  
30                   azbluhill@aol.com

1 Eric C. Guidry  
2 Western Resource Advocates  
3 2260 Baseline Road, Suite 200  
4 Boulder, Colorado 80302  
5 (303) 444-1188 x226  
6 fax: (303) 786-8054  
7 eguidry@westernresources.org

8 Wherefore, WRA respectfully requests that the Commission issue an order granting its  
9 Motion to Intervene in the above-captioned proceeding.

10 RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of December, 2005.

11 ARIZONA CENTER FOR LAW IN  
12 THE PUBLIC INTEREST

13 By \_\_\_\_\_  
14 Timothy M. Hogan  
15 202 E. McDowell Rd., Suite 153  
16 Phoenix, Arizona 85004  
17 Attorneys for Western Resource  
18 Advocates

19 ORIGINAL and 13 COPIES of  
20 the foregoing filed this 12<sup>th</sup> day  
21 of December, 2005, with:

22 Docketing Supervisor  
23 Docket Control  
24 Arizona Corporation Commission  
25 1200 W. Washington  
Phoenix, AZ 85007

COPIES of the foregoing  
mailed this 12<sup>th</sup> day of  
December, 2005 to:

Deborah R. Scott  
Kimberly A. Grouse  
Snell & Wilmer  
400 E. Van Buren Street  
Phoenix, AZ 85004-2202

Thomas L. Mumaw  
Karilee S. Ramaley  
Pinnacle West Law Dept.  
P.O. Box 53999  
Phoenix, AZ 85072-3999

1 Ernest Johnson  
Director  
2 ACC Utilities Division  
1200 W. Washington Street  
3 Phoenix, AZ 85007

Scott S. Wakefield  
Chief Counsel  
RUCO  
1110 W. Washington, Suite 220  
Phoenix, AZ 85007

4 Barbara Klemstine  
5 Brian Brumfield  
P.O. Box 53999  
6 Mail Station 9708  
Phoenix, AZ 85072-3999

---

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25