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by State Corporation Communication of Kansas

2011.12.16 13:28:55

Kansas Corporation Commission

In the Matter of the Application of Howison Heights, Inc., for Approval of Certain Changes in its Charges for Water Service.

Docket No. 12-HHIW-382-RTS

PETITION TO INTERVENE

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COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and moves the Corporation Commission of the State of the Kansas ("Commission") for an order permitting it to intervene in the above-captioned proceeding. In support of its petition, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.

2. CURB's Consumer Counsel has been given the discretion to intervene and represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223 et seq.

3. On November 30, 2011, Howison Heights, Inc. filed an application with the Kansas Corporation Commission for Approval of Certain Changes in its Charges for Water Service.

4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the service received by those customers will or may be affected by any Commission order or activity in this proceeding.

5. In addition to undersigned counsel, please include the following CURB representatives with all electronic notices, pleadings, and correspondence regarding this Application

as follows:

Shonda Smith Office Manager Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66604 Email: sd.smith@curb.kansas.gov

Della Smith Administrative Specialist Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66604 Email: <u>d.smith@curb.kansas.gov</u>

6. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

7. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention in this Docket.

Respectfully submitted,

David Springe #15619 Niki Christopher #19311 C. Steven Rarrick #13127 Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, KS 66604 (785) 271-3200 (785) 271-3116 Fax

VERIFICATION

ss:

STATE OF KANSAS

COUNTY OF SHAWNEE

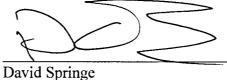
I, David Springe, of lawful age, being first duly sworn upon his oath states:

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That he is an attorney for the above named petitioner; that he has read the above and foregoing Intervention, and, upon information and belief, states that the matters therein appearing are true and correct.



SUBSCRIBED AND SWORN to before me this 16th day of December, 2011.

DELLA J. SMITH Notary Public - State of Kansas My Appt. Expires January 26, 2013

Notary Public

My Commission expires: 01-26-2013.

<u>CERTIFICATE OF SERVICE</u>

12-HHIW-382-RTS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, or hand-delivered this 16^{th} day of December, 2011, to the following:

PATRICE PETERSEN-KLEIN EXECUTIVE DIRECTOR KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 **Hand Delivered**

TIMOTHY B. HOWISON, PRESIDENT HOWISON HEIGHTS, INC. 1212 MEYER DR SALINA, KS 67401-5274

MATTHEW SPURGIN, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 **Hand Delivered**

Delfa Smith Administrative Specialist