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**ARIZONA CORPORATION COMMISSION**

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May 9, 2003

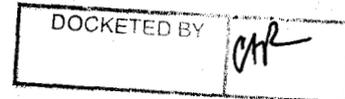
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Arizona Corporation Commission  
**DOCKETED**

MAY 09 2003

Re: The Phone Company Management Group, LLC et al.  
Docket Nos. T-03889A-02-0796 and T-04125A-02-0796



Dear Colleagues:

I have followed with interest and concern the proceedings in the above-captioned dockets. My concern for potential harm to Arizona ratepayers in this case is heightened by Mr. Wetherwald's April 29, 2003 letter, and I feel compelled to respond.

I of course reserve judgment on the substantive matters before Administrative Law Judge Dion. However, the following procedural concerns arise from Mr. Wetherwald's correspondence:

1. The Phone Company Management Group, LLC and its associated Respondents (collectively "PCMG") have declined to produce documents subject to discovery. What consequences attach to PCMG's unilateral declaration? Are parties to Commission proceedings free to ignore Commission orders?
2. PCMG appeared before the Commission through counsel. Arizona law and Commission rules require entities to be represented by counsel and provide for the withdrawal of such counsel. The Commission has not granted a motion to withdraw. Is PCMG (and its counsel) free to ignore Commission rules and orders with regard to appearance through counsel before the Commission?

I have reviewed the record in these dockets. In addition to the procedural concerns relative to Mr. Wetherwald's letter, I am troubled by an apparent pattern of delay and misconduct. This letter is my request to Administrative Law Judge Dion to consider referral to appropriate agencies, including but not limited to the United States Attorney's Office, the Office of the Arizona Attorney General and the State Bar of Colorado.

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I also solicit the views of my colleagues, without making any judgment on the merits of this case, as to whether the procedural matters herein potentially impair the ability of this Commission to adequately protect the interests of Arizona ratepayers.

Very truly yours,



Marc Spitzer  
Chairman

Cc: Docket Control  
All Parties on Record  
Chris Kempley, Chief Legal Counsel  
Ernest Johnson, Utilities Director  
James Jayne, Interim Executive Secretary