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AZ CORP COMMISSION  
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March 8, 2004

Robert M Cassaro  
3354 Oak Springs Drive  
P. O. Box 1522  
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928-476-2891

Marc Spitzer Chairman	Paul Walker Aide
Commissioners	
William A Mundell	Adam Stafford Aide
Jeff Hatch-Miller	Dean Miller Aide
Mike Gleason	Jodi Jerich, Esq. Aide
Kristin K Mayes	Garry Hays II Esq. Aide

Subject: Pine Water Co. Rate Increase      Docket # W-03512A-03-0279  
Hearing Scheduled March 9, 2004

Pine Water Company has filed a Motion to have my "belated pre-filed testimony" stricken And to disallow an opportunity for me to take the stand as a witness during the hearings In this docket. In a phone conversation Feb.26, 2004 with someone in the hearing division, I was told I could present verbal arguments only. When I told her I wanted to use "hand-outs" containing pertinent information to speak from, I was told I had to provide 14 copies of the "hand-outs" to docket control. I personally hand delivered the 14 copies of "hand-outs" to docket control at approximately 10:15 AM Friday, February 27, 2004, and mailed copies to Pine Water Company, PSWID, and Mr. John Breninger on Saturday February 28, 2004.

The "hand-out" contains very important and critical information regarding this rate case and I am requesting an opportunity to be heard at the hearing.

Respectfully Yours,

Robert

Robert M. Cassaro

Arizona Corporation Commission  
DOCKETED

MAR - 8 2004

DOCKETED BY

1 FENNEMORE CRAIG  
 2 Jay L. Shapiro (No. 014650)  
 3 Patrick Black (No. 017141)  
 4 3003 N. Central Ave.  
 5 Suite 2600  
 6 Phoenix, Arizona 85012  
 7 Attorneys for Pine Water Company, Inc.

8  
 9 **BEFORE THE ARIZONA CORPORATION COMMISSION**

10 IN THE MATTER OF THE  
 11 APPLICATION OF PINE WATER  
 12 COMPANY FOR A  
 13 DETERMINATION OF THE  
 14 CURRENT FAIR VALUE OF ITS  
 15 UTILITY PLANT AND PROPERTY  
 16 AND FOR INCREASES IN ITS RATES  
 AND CHARGES BASED THEREON  
 FOR UTILITY SERVICE AND FOR  
 APPROVAL TO INCUR LONG-TERM  
 DEBT

DOCKET NO: W-03512A-03-0279

**PINE WATER COMPANY'S MOTION TO  
 STRIKE TESTIMONY OF ROBERT M.  
 CASSARO**

17 Applicant Pine Water Company ("Pine Water" or "Company") hereby files this  
 18 Motion to Strike the Testimony of Intervenor Robert M. Cassaro in the above-referenced  
 19 matter. Mr. Cassaro's testimony is procedurally improper because it was filed well after  
 20 the deadlines for intervenor testimony in this docket.

21 **ARGUMENT**

22 This matter commenced with the filing of the Company's application on May 1  
 23 2003. Mr. Cassaro moved to intervene as a party in the proceeding initiated by the filing  
 24 of the Company's application on September 30, 2003 and was granted intervention on  
 25 October 24, 2003. According to the procedural orders governing this case, the deadline  
 26