

ORIGINAL



0000014510

55wc

BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER,  
CHAIRMAN  
WILLIAM A. MUNDELL,  
COMMISSIONER  
JEFF HATCH-MILLER,  
COMMISSIONER  
MIKE GLEASON,  
COMMISSIONER  
KRISTIN K. MAYES  
COMMISSIONER

2004 NOV 19 P 3:53

AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission  
**DOCKETED**

NOV 19 2004

DOCKETED BY *[Signature]*

IN THE MATTER OF THE  
APPLICATION ARIZONA UTILITY  
SUPPLY & SERVICES, LLC, FOR THE  
TRANSFER OF A PORTION OF ITS  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO JOHNSON UTILITIES,  
L.L.C.

Docket No. SW-04002A-02-0837  
WS-02987A-02-0837  
SW-04002A-04-0465  
WS-02987A-04-0465

**MOTION TO WITHDRAW AS COUNSEL**

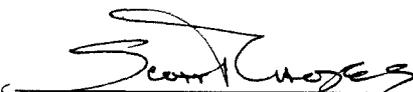
Jennings, Strouss & Salmon, P.L.C. moves to withdraw as counsel of record for RS Investments, LLC in the above-captioned matter. The specific reasons for this motions are confidential under Arizona Ethical Rule 1.6 (Rule 42, Arizona Rule of the Supreme Court) and thus cannot be disclosed in this motion. RS Investments, LLC has not waived its confidentiality pursuant to ER 1.6.

RS Investments, LLC, through its principal, Roger Sefzik, has informed counsel that it consents to this firm's withdrawal. Jennings, Strouss & Salmon, P.L.C. believes, based on its best efforts at communication, that RS Investments, LLC will not be

1 prejudiced by its withdrawal at this time.

2 DATED this 19<sup>th</sup> day of November, 2004.

3 JENNINGS, STROUSS & SALMON, P.L.C.  
4

5  
6 By 

7 Scott Rhodes  
8 The Collier Center, 11<sup>th</sup> Floor  
9 201 E. Washington Street  
10 Phoenix, AZ 85004-2385  
11 Telephone: (602) 262-5862

12 ORIGINAL and 19 copies of the  
13 foregoing hand-delivered this  
14 19<sup>th</sup> day of November, 2004, to:

15 Docket Control  
16 1200 W. Washington  
17 Phoenix, AZ 85007

18 COPIES of the foregoing mailed  
19 this 19<sup>th</sup> day of November, 2004, to:

20 Roger Sefzik (Via Facsimile and Regular Mail)  
21 P. O. Box 17  
22 Glorieta, NM 87535

23 Maurice Lee  
24 Arizona Utility Supply & Services, LLC  
25 4002 E. Taro Lane  
26 Phoenix, AZ 85050

Jeffrey C. Zimmerman  
MOYES STOREY LTD.  
1850 N. Central Avenue, Suite 1100  
Phoenix, AZ 85004

1 Lynn A. Keeling  
2 DYER & FERRIS, LLC  
3 3550 North Central Avenue, Suite 1801  
4 Phoenix, AZ 85012-2114

5 George Johnson  
6 Johnson Utilities, L.L.C.  
7 5230 East Shea Blvd.  
8 Scottsdale, AZ 85254

9 Jay L. Shapiro  
10 FENNEMORE CRAIG  
11 3003 North Central Avenue, Suite 2600  
12 Phoenix, AZ 85012

13 Dwight D. Nodes  
14 Assistant Chief Administrative Law Judge  
15 ARIZONA CORPORATION COMMISSION  
16 1200 W. Washington Street  
17 Phoenix, AZ 85007

18 Christopher Kempley, Chief Counsel  
19 Legal Division  
20 ARIZONA CORPORATION COMMISSION  
21 1200 W. Washington Street  
22 Phoenix, AZ 85007

23 Ernest Johnson, Director  
24 Utilities Division  
25 ARIZONA CORPORATION COMMISSION  
26 1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE  
2627 North Third Street, Suite Three  
Phoenix, AZ 85004

By 

1                                   **BEFORE THE ARIZONA CORPORATION COMMISSION**

2       MARC SPITZER,  
3               CHAIRMAN  
4       WILLIAM A. MUNDELL,  
5               COMMISSIONER  
6       JEFF HATCH-MILLER,  
7               COMMISSIONER  
8       MIKE GLEASON,  
9               COMMISSIONER  
10      KRISTIN K. MAYES  
11              COMMISSIONER

12      IN THE MATTER OF THE  
13      APPLICATION ARIZONA UTILITY  
14      SUPPLY & SERVICES, LLC, FOR THE  
15      TRANSFER OF A PORTION OF ITS  
16      CERTIFICATE OF CONVENIENCE AND  
17      NECESSITY TO JOHNSON UTILITIES,  
18      L.L.C.

Docket No. SW-04002A-02-0837  
              WS-02987A-02-0837  
              SW-04002A-04-0465  
              WS-02987A-04-0465

19                                   **ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL**

20                                   Pursuant to the foregoing Motion to Withdraw as Counsel, and good cause  
21      appearing therefor,

22                                   IT IS HEREBY ORDERED permitting Jennings, Strouss & Salmon, P.L.C. to  
23      withdraw as counsel for RS Investments in the above-captioned matter.

24                                   DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

25

26

---