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BEFORE THE ARIZONA CORPORATION C

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COMMISSIONERS

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

2006 MAR 29 P 12: 25

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE COMMISSION ON
ITS OWN MOTION INVESTIGATING THE
FAILURE OF NUMEROUS UTILITIES TO
FILE ANNUAL REPORTS FOR CALENDAR
YEAR 2002.

DOCKET NO. C-00000A-06-0195

**NOTICE OF FILING
COMPLAINT AND PETITION FOR
ORDER TO SHOW CAUSE**

Arizona Corporation Commission Staff hereby provides notice that it is filing the attached
complaint and petition for order to show cause.

RESPECTFULLY SUBMITTED this 29th day of March, 2006.

David M. Ronald

David M. Ronald
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

Original and thirteen (13) copies
of the foregoing were filed this
29th day of March, 2006 with:

Docket Control
Arizona Corporation Commission
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Phoenix, Arizona 85007

Copy of the foregoing mailed this
29th day of March, 2006 to:

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15	Salome Water Company	Tucson, AZ 85716
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27 *Roseann Ovario*

28

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 JEFF HATCH-MILLER - Chairman
 4 MARC SPITZER
 5 WILLIAM A. MUNDELL
 6 MIKE GLEASON
 7 KRISTIN K. MAYES

7 IN THE MATTER OF THE COMMISSION ON)
 8 ITS OWN MOTION INVESTIGATING THE)
 9 FAILURE OF NUMEROUS UTILITIES TO)
 10 FILE ANNUAL REPORTS FOR CALENDAR)
 11 YEAR 2002.)

DOCKET NO C-00000A-06-0195

DECISION NO. _____

**COMPLAINT AND PETITION
 FOR
 ORDER TO SHOW CAUSE**

DOCKET NO	COMPANY NAME
T-04017A	AMIGA ENTERPRISES
W-02026A	BIDEGAIN WATER COMPANY
T-03942A	COMTEL NETWORK, LLC
E-03829A	CSC ENERGY SERVICES, INC.
W-03537A	DATELAND UTILITIES
T-02940A	DILLON ENTERPRISES
T-03482A	DISCOUNT UTILITIES, LLC
T-03021A	E.SPIRE
W-03948A	EMPIRITA WATER COMPANY, LLC
T-03220A	ETI - TELECOMMUNICATIONS
T-03836A	EXCELL AGENT SERVICES, LLC
T-03833A	EZTEL NETWORK SERVICES, LLC
W-04120A	GRAND CANYON CAVERNS AND INN, LLC
W-02271A	GREEN ACRES WATER COMPANY
T-03251A	GROUP LONG DISTANCE, INC.
E-03671A	IMSERV NORTH AMERICA, LLC
W-01557A	LAKE VERDE WATER COMPANY
W-02504A	MEADOW WATER COMPANY
T-03244A	METROPHONE TELECOMMUNICATIONS, INC.
T-02939A	MTV WORLD PAYPHONES
T-03821A	NAS
T-03878A	NATEL, LLC
E-03646A	NEV SOUTHWEST, LLC
T-03380A	NORTH AMERICAN COMMUNICATIONS CONTROL, INC.
W-04069A	OATMAN WATER COMPANY, LLC
T-03737A	PROMISE-NET INTERNATIONAL, LTD.
T-03928A	RAPTEL COMMUNICATIONS, LLC
W-02003A	RILLITO WATER USERS ASSOCIATION

1	W-01084A	SALOME WATER COMPANY
2	W-02262A	SONOITA VALLEY WATER COMPANY
3	W-02017A	SOUTHERN WATER CORPORATION
4	T-03650A	SPECIAL ACCOUNTS BILLING GROUP, INC.
5	W-01407A	STRAWBERRY WATER COMPANY
6	W-02386A	SUN LEISURE ESTATES UTILITIES COMPANY, INC.
7	T-04167A	TELEGLOBE USA LLC
8	T-03262A	TELE-PRO INDEPENDENT CONTRACTORS, LLC
9	T-02885A	TRATTORIA PINA
10	W-02419A	TUBAC WATER COMPANY, INC.
11	T-03558A	UNITED STATES TELECOMMUNICATIONS, INC.
12	SW-03437A	VERDE SANTA FE WASTEWATER CO., INC.
13	W-02274A	VERDE WEST IRRIGATION
14	T-03988A	WILSHIRE CONNECTION, LLC
15	T-03165A	ZENEX LONG DISTANCE, INC.

16 Open Meeting

17 Phoenix, Arizona

18 **FINDINGS OF FACT**

19 The Arizona Corporation Commission (Commission), for its Complaint, alleges as follows:

20 **I**

21 The Commission is an agency of the State of Arizona, existing by virtue of Article 15 of the
22 Arizona Constitution.

23 **II**

24 Respondents are public service corporations as defined by Article 15, Section 2 of the Arizona
25 Constitution, and were issued Certificates of Convenience and Necessity in accordance with Arizona
26 Revised Statutes Section 40-281.

27 **III**

28 As public service corporations, respondents are subject to the jurisdiction of the Commission
with regard to the matters herein alleged.

IV

This Complaint is initiated and authorized pursuant to Arizona Revised Statutes, Sections 40-
202, 40-204, 40-425, 40-426, and Arizona Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-
2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.

...

V

1
2 Investigation by the Commission's Staff (Staff) reveals and the Commission alleges that
3 Respondents have violated Arizona Revised Statutes and Commission Rules. The Commission
4 alleges the following in support of its claim:

5 A. Pursuant to Arizona Revised Statutes Section 40-204 and Arizona Administrative Code
6 R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.,
7 all public service corporations in Arizona are required to file an annual report on or before April 15 of
8 each year.

9 B. Despite repeated attempts by the Staff to persuade Respondents to file such reports,
10 Respondents have failed to do so and are thus in violation of Arizona Revised Statutes Section
11 40-204 and Arizona Administrative Code, R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-
12 907.A., R14-2-1011.A., and R14-2-1115.F.

13 C. Pursuant to Arizona Revised Statutes Section 40-204, Respondents are in contempt of
14 the Commission for their failure to comply with the aforementioned rules and requirements of the
15 Commission.

VI

16
17 The violations of Respondents to the aforementioned rules and requirements, as alleged herein,
18 constitutes grounds to assess a civil penalty against Respondents pursuant to Arizona Revised Statutes
19 Section 40-424 and 40-425, in an amount not less than \$100 nor more than \$5,000 for each violation,
20 and/or revoke respondents certificate of convenience and necessity.

ORDER

21
22 THEREFORE, IT IS ORDERED, that Respondents appear before the Arizona Corporation
23 Commission at a time and place designated by the Commission's Hearing Division and show cause
24 why the Commission should not find Respondents in violation and contempt of Arizona Laws and
25 Commission rules, and show cause why the Commission should not assess against Respondents
26 penalties as provided in Arizona Revised Statutes Sections 40-424 and 40-425, or cancel the
27 respondents certificate of convenience and necessity.

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IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2006.

BRIAN C. McNEIL
Executive Director

DISSENT: _____

DISSENT: _____

EGJ:CCK/DMR/ro

1 SERVICE LIST FOR: DOCKET NO. C-00000A-06-0195 ET.AL.

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