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AZ CORP COMMISSION
DOCUMENT CONTROL

7 BEFORE THE ARIZONA CORPORATION COMMISSION

8 ASSET TRUST MANAGEMENT, CORP.

9 Complainants,

10 v.

11 PINE WATER COMPANY, an Arizona

12 Corporation

13 Respondent.

DOCKET NO. W-03512A-06-0613

MOTION TO CONSOLIDATE CASES

14 COMES NOW Asset Trust Management, Corp., by and through its attorney undersigned and
15 respectfully moves the Court to consolidate this case with *Pugel Family Trust et al v. Pine Water*
16 *Company, Docket No. W-03512A-06-0407*, pursuant to *Rule 42(a) of Arizona Rules of Civil*
17 *Procedure*, on the grounds and for the reasons that these cases contain common issues of fact and
18 questions of law and in the interest of judicial economy should be resolved as one case. Even more
19 because the consolidation of the cases will have a determinative impact on all of the Complainants as the
20 matters are highly related. This Motion is supported by the attached Memorandum of Points and
21 Authorities.
22

23 Respectfully submitted this 26 day of September, 2006.

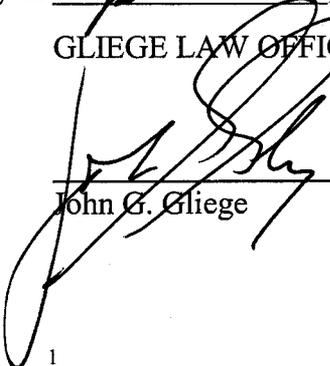
24 GLIEGE LAW OFFICES, PLLC

25 Arizona Corporation Commission

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27 SEP 29 2006

28 DOCKETED BY

29 
John G. Gliege

1 Original and thirteen copies of the foregoing Mailed/
2 Delivered this 26th day of September 2006 to:

3 Docket Control Center
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, AZ 85007

7 Copies of the foregoing Mailed/Delivered
8 this 26th day of September, 2006 to:

9 Jay L. Shapiro
10 Thomas R. Wilmoth
11 Fennemore Craig
12 3003 North Central Ave. Ste 2600
13 Phoenix, AZ 85012-2913

14 Pine Water Company
15 Brooke Utilities, Inc.
16 P.O. Box 82218
17 Bakersfield, CA 93380-2218
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MEMORANDUM OF POINTS AND AUTHORITIES

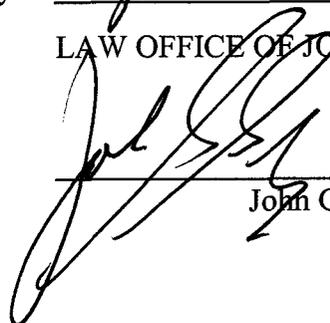
The two cases before the Court arise out of the same initial fact situation. ASSET TRUST MANAGEMENT CORP. has filed an *Application For Deletion Of Territory From Certificate Of Convenience And Necessity Of Pine Water Company*. The complainants RAYMOND R. PUGEL AND JULIE B. PUGEL, husband and wife as trustees of THE RAYMOND R. PUGEL and JULIE B. PUGEL FAMILY TRUST, and ROBERT RANDALL and SALLY RANDALL, husband and wife have also filed an *Application For Deletion Of Territory From Certificate Of Convenience And Necessity Of Pine Water Company. Pugel Family Trust et al v. Pine Water Company, Docket No. W-03512A-06-0407*. Both of these cases are under consideration before the Arizona Corporation Commission. As of the date hereof, the Arizona Corporation Commission has taken no action on the case. Therefore these actions are still pending.

Asset Trust Management Corp., contends that issues in both cases are related and are before this same Court, and that it is duplicative of effort to have two separate trials in these cases.

Therefore, Asset Trust Management Corp. respectfully requests, that on the grounds of common issues of fact and questions of law, the similar parties involved, and in the interests of judicial economy, the Court consolidate these two cases in this matter.

Respectfully submitted this 26 day of September, 2006.

LAW OFFICE OF JOHN G. GLIEGE



John G. Gliege