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AZ CORP COMMISSION
DOCUMENT CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

9 RAYMOND R. PUGEL AND JULIE B.
10 PUGEL, husband and wife as trustees of THE
11 RAYMOND R. PUGEL and JULIE B. PUGEL
12 FAMILY TRUST,
13 and
14 ROBERT RANDALL and SALLY
15 RANDALL, husband and wife
16 Complainants,
17 v.
18 PINE WATER COMPANY, an Arizona
19 Corporation
20 Respondent.

DOCKET NO. W-03512A-06-0407

MOTION TO CONSOLIDATE CASES

Arizona Corporation Commission
DOCKETED

SEP 27 2006

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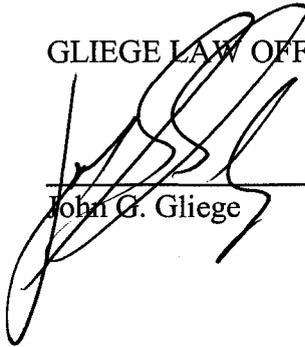
22 COMES NOW, RAYMOND R. PUGEL AND JULIE B. PUGEL, husband and wife as trustees
23 of THE RAYMOND R. PUGEL and JULIE B. PUGEL FAMILY TRUST, and ROBERT RANDALL
24 and SALLY RANDALL, husband and wife, by and through their attorney undersigned and respectfully
25 moves the Court to consolidate this case with *Asset Trust Management, Corp. v. Pine Water Company*
26 (Docket Number not yet assigned), pursuant to *Rule 42(a) of Arizona Rules of Civil Procedure*, on the
27 grounds and for the reasons that these cases contain common issues of fact and questions of law and in
28 the interest of judicial economy should be resolved as one case. Even more because the consolidation of
29

1 the cases will have a determinative impact on all of the Complainants as the matters are highly related.

2 This Motion is supported by the attached Memorandum of Points and Authorities.

3 Respectfully submitted this 26 day of September, 2006.

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5 GLIEGE LAW OFFICES, PLLC

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8 _____
9 John G. Gliege

10 Original and thirteen copies of the foregoing Mailed/
11 Delivered this 26 day of September 2006 to:

12 Docket Control Center
13 Arizona Corporation Commission
14 1200 W. Washington Street
15 Phoenix, AZ 85007

16 Copies of the foregoing Mailed/Delivered
17 this 26 day of September 2006 to:

18 Jay L. Shapiro
19 Thomas R. Wilmoth
20 Fenmore Craig
21 3003 North Central Ave. Ste 2600
22 Phoenix, AZ 85012-2913

23 Pine Water Company
24 Brooke Utilities, Inc.
25 P.O. Box 82218
26 Bakersfield, CA 93380-2218
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MEMORANDUM OF POINTS AND AUTHORITIES

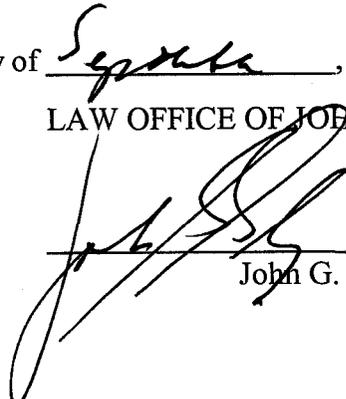
The two cases before the Court arise out of the same initial fact situation. ASSET TRUST MANAGEMENT CORP. has filed an *Application For Deletion Of Territory From Certificate Of Convenience And Necessity Of Pine Water Company*(Docket Number not yet assigned). The complainants RAYMOND R. PUGEL AND JULIE 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 these cases. Therefore these actions are still pending.

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 contend 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, 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, 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