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ORIGINAL

Arizona Corporation Commission

DOCKETED

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1 FENNEMORE CRAIG
 2 A Professional Corporation
 3 3003 North Central Avenue
 4 Suite 2600
 5 Phoenix, Arizona 85012-2913
 6 Telephone: (602) 916-5000
 7 Jay L. Shapiro (No. 014650)
 8 Karen E. Errant (No. 016173)

DOCKETED BY

JM

Attorneys for H2O, Inc.

BEFORE THE ARIZONA CORPORATION COMMISSION

9 IN THE MATTER OF THE APPLICATION
 10 OF H2O, INC., FOR AN EXTENSION OF
 11 ITS EXISTING CERTIFICATE OF
 12 CONVENIENCE AND NECESSITY.

DOCKET NO. W-02234A-00-0371

13 IN THE MATTER OF THE APPLICATION
 14 OF JOHNSON UTILITIES, L.L.C., DBA
 15 JOHNSON UTILITIES COMPANY FOR
 16 AN EXTENSION OF ITS CERTIFICATE
 17 OF CONVENIENCE AND NECESSITY TO
 18 PROVIDE WATER AND WASTEWATER
 19 SERVICE TO THE PUBLIC IN THE
 20 DESCRIBED AREA IN PINAL COUNTY,
 21 ARIZONA.

DOCKET NO. W-02987A-99-0583

22 IN THE MATTER OF THE APPLICATION
 23 OF JOHNSON UTILITIES, L.L.C., DBA
 24 JOHNSON UTILITIES COMPANY FOR
 25 AN EXTENSION FOR ITS CERTIFICATE
 26 OF CONVENIENCE AND NECESSITY TO
 PROVIDE WATER AND WASTEWATER
 SERVICE TO THE PUBLIC IN THE
 DESCRIBED AREA IN PINAL COUNTY,
 ARIZONA.

DOCKET NO. WS-02987A-00-0618

27 IN THE MATTER OF THE APPLICATION
 28 OF DIVERSIFIED WATER UTILITIES,
 29 INC. TO EXTEND ITS' CERTIFICATE OF
 30 CONVENIENCE AND NECESSITY.

DOCKET NO. W-02859A-00-0774

31 IN THE MATTER OF THE APPLICATION
 32 OF QUEEN CREEK WATER COMPANY
 33 TO EXTEND ITS CERTIFICATE OF
 34 CONVENIENCE AND NECESSITY.

~~DOCKET NO. W-01395A-00-0784~~

**APPLICATION FOR SUBPOENA DUCES
TECUM**

1 H2O, Inc., the applicant in the above-entitled matter ("H2O"), hereby applies
2 for a subpoena requiring the attendance of Stanley D. Griffis, Pinal County
3 Manager, at a deposition in the above-entitled matter, which is scheduled to
4 commence on November 28, 2000, at 9:00 a.m. The date, time and location of
5 the deposition were agreed upon by counsel for Johnson Utilities and the Pinal
6 County Attorney's Office on behalf of the deponent Dr. Griffis. Dr. Griffis'
7 deposition is required in order to obtain more information concerning his prefiled
8 rebuttal testimony, filed in this proceeding by Johnson Utilities, L.L.C. A true copy
9 of H2O's proposed form of subpoena duces tecum is attached hereto. An original
10 subpoena duces tecum has been delivered to the Executive Secretary concurrently
11 herewith for execution and issuance in accordance with the Corporation
12 Commission's Rules of Practice and Procedure.

13 RESPECTFULLY SUBMITTED this 6th day of November, 2000.

14 FENNEMORE CRAIG, P.C.

15
16 By Karen E. Errant
17 Jay L. Shapiro
18 Karen E. Errant
19 Attorneys for H2O, Inc.

20 AN ORIGINAL and ten copies
21 of the foregoing were delivered
22 this 6th day of November, 2000 to:

23 Docketing Supervisor
24 Docket Control
25 Arizona Corporation Commission
26 1200 W. Washington Street
Phoenix, AZ 85007

1 A COPY of the foregoing
2 was delivered this _____
3 day of November, 2000 to:

4 Teena Wolfe, Esq.
5 Legal Division
6 Arizona Corporation Commission
7 1200 West Washington St.
8 Phoenix, AZ 85007

9 Karen Nally, Hearing Officer
10 Arizona Corporation Commission
11 1200 W. Washington Street
12 Phoenix, Arizona 85007

13 A COPY of the foregoing
14 was mailed this 16th
15 day of November, 2000 to:

16 Thomas H. Campbell
17 Gregory Y. Harris
18 Lewis & Roca
19 40 N. Central Avenue
20 Phoenix, Arizona 85007
21 Attorney for Johnson Utilities, L.L.C.

22 Petra Schadeberg
23 Pantano Development Limited Partnership
24 3408 North 60th Street
25 Phoenix, Arizona 85018-6702

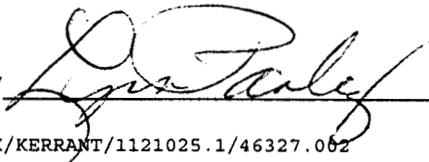
26 William P. Sullivan
27 MARTINEZ & CURTIS
28 2712 N. 7th Street
29 Phoenix, AZ 85006-1090
30 Attorneys for Diversified Water Utilities, Inc.

31 Charles A. Bischoff
32 JORDEN & BISCHOFF
33 4201 N. 24th Street, Suite 300
34 Phoenix, AZ 85016
35 Attorneys for Queen Creek Water Co.

36 Richard N. Morrison
37 JENNINGS STROUSS & SALMON PLC
38 Two N. Central 16th Floor
39 Phoenix, AZ 85004-2393
40 Attorneys for LeSuer Investments I, LLC, et al.

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1 Louis Felix
2 18100 Walter Butte Drive
3 Florence, AZ 85232-9700

4 By 
5 PHX/KERRANT/1121025.1/46327.062

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5 Attorneys for H2O, Inc.
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8 **BEFORE THE ARIZONA CORPORATION COMMISSION**

9 IN THE MATTER OF THE APPLICATION
OF H2O, INC., FOR AN EXTENSION OF
10 ITS EXISTING CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-02234A-00-0371

11 IN THE MATTER OF THE APPLICATION
12 OF JOHNSON UTILITIES, L.L.C., DBA
JOHNSON UTILITIES COMPANY FOR
13 AN EXTENSION OF ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY TO
14 PROVIDE WATER AND WASTEWATER
SERVICE TO THE PUBLIC IN THE
15 DESCRIBED AREA IN PINAL COUNTY,
ARIZONA.

DOCKET NO. W-02987A-99-0583

16 IN THE MATTER OF THE APPLICATION
17 OF JOHNSON UTILITIES, L.L.C., DBA
JOHNSON UTILITIES COMPANY FOR
18 AN EXTENSION FOR ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY TO
19 PROVIDE WATER AND WASTEWATER
SERVICE TO THE PUBLIC IN THE
20 DESCRIBED AREA IN PINAL COUNTY,
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21 IN THE MATTER OF THE APPLICATION
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INC. TO EXTEND ITS' CERTIFICATE OF
23 CONVENIENCE AND NECESSITY.

DOCKET NO. W-02859A-00-0774

24 N THE MATTER OF THE APPLICATION
OF QUEEN CREEK WATER COMPANY
25 TO EXTEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-01395A-00-0784

26 TO: Stanley D. Griffis

SUBPOENA DUCES TECUM

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County Manager
Pinal County
P.O. Box 887
Florence, Arizona 85232

Pursuant to Ariz. Const. Art. 15 § 4, A.R.S. §§ 40-241, 40-242, 40-244, A.A.C. R14-3-101 and R14-3-109, and 16 A.R.S. Rules of Civil Procedures, Rules 30 and 45, you are hereby commanded to appear and give your testimony at the time and place specified below:

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

DATE AND TIME OF DEPOSITION: Tuesday, November 28, 2000 at 9:00 a.m.

PLACE OF APPEARANCE: Board of Supervisors Conference Room
31 N. Pinal Street
Administration Building A
Florence, Arizona

YOU ARE COMMANDED to produce all documents designated in Exhibit "A" attached hereto no later than the time and place specified below:

DATE AND TIME OF PRODUCTION: Tuesday, November 28, 2000 at 9:00 a.m.

PLACE OF APPEARANCE: Board of Supervisors Conference Room
31 N. Pinal Street
Administration Building A
Florence, Arizona

YOU HAVE BEEN SUBPOENAED BY: H2O, INC.

Disobedience of this subpoena constitutes contempt of the Arizona Corporation Commission and is so punishable, pursuant to A.R.S. § 40-424, 40-425, and 40-426.

Given under the hand and seal of the Arizona Corporation Commission this ____ day of November, 2000.

Executive Secretary

1120927.1/46327.002

EXHIBIT A

1. All Pinal County property tax records for Johnson Utilities, L.L.C. ("Johnson") for the prior ten years.
2. All documents reviewed or obtained in connection with the "background check" of Johnson referenced in the Prefiled Rebuttal Testimony of Stanley D. Griffis at page 5, lines 1-2.
3. All ordinances or other Pinal County regulations which govern growth planning, approval of subdivisions, and restricting or prohibiting septic systems and/or "package plants" as that term is used in the Prefiled Rebuttal Testimony of Stanley D. Griffis at page 9, lines 20-23.
4. Any housing need studies considered or relied upon in the Prefiled Rebuttal Testimony of Stanley D. Griffis at page 6, line 23 through page 7, line 26.
5. Copies of all documents evidencing a settlement or other agreement with any and all non-residential entities wherein the non-residential entity paid less than the amount of Pinal County property taxes actually owed.

1120930.1/46327.002