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2007 MAY 29 P 1:57

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**AZ CORP COMMISSION
DOCKET CONTROL**

BEFORE THE ARIZONA CORPORATION COMMISSION

**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
Complainants,
v.
PINE WATER COMPANY, an Arizona
Corporation
Respondent..**

DOCKET NO. W-03512A-06-0407

Rejoinder Testimony of Edward Moriarity

W-03512A-07-0019

**ASSET TRUST MANAGEMENT, CORP.
Complainants,
v.
PINE WATER COMPANY, an Arizona
Corporation
Respondent.**

DOCKET NO. W-03512A-06 -0613

**JAMES HILL and SIOUX HILL, husband and
wife and as trustees of THE HILL FAMILY
TRUST,
Complainants,
v.
PINE WATER COMPANY, an Arizona
Corporation
Respondent.**

DOCKET NO. W-20511A-07-0100

W-03512A-07-0100

**Arizona Corporation Commission
DOCKETED**

MAY 29 2007

DOCKETED BY
[Handwritten initials]

3225

W-11-10-10

1 Once again, state your name: **Edward Moriarity**

2 Did you read the Surrebuttal Testimony filed by Pine Water Company and the Testimony filed by the
3 Arizona Corporation Commission Staff? **YES**

4 Before addressing specific issues do you have any general comments regarding the Pine Water Company
5 Surrebuttal Testimony?

6 **The Testimony does not address the issues of whether or not Pine Water Company can provide**
7 **water to the Eagle Glen subdivision.**

8 Have you attempted to cooperate with Pine Water Company and obtain Water Service? **Yes, but once**
9 **they turned us down we sought water service elsewhere.**

10 Are you seeking any "special treatment"?

11 **No, we just want water service to our property so that it can be occupied and used.**

12 To your knowledge, is the process of the Corporation Commission the only one available to provide
13 domestic water service to your property?

14 **No, it is not. There are other available alternatives.**

15 Within the Eagle Glen Subdivision is the infrastructure already in place?

16 **According to our Engineer it is, and in fact portions of it are being used by Pine Water Company**
17 **to provide water to the 2" water main on southern Hardscrabble Road. We just want to connect**
18 **the water meters and be ready to use the property.**

19 Before addressing specific issues do you have any general comments regarding the Staff Testimony?

20 **It appears that the staff would have us indefinitely not being able to use our property with no**
21 **reasonable prospect of future use.**

22 If you do not receive any water service from Pine Water Company and are not able to have your property
23 removed from the CC&N does it affect the use and enjoyment of this property?

24 **Without domestic water service the property is not usable. It is not that water is not available**
25 **which can be used, the issue here is that under the regulatory scheme created concerning this**
26 **property it cannot be provided water from Pine Water Company, and unless deleted from the**
27 **CC&N, it cannot provide itself any water service. As such the economic value of the property is**
28 **substantially diminished or taken without any compensation being paid to the property owner.**

29 Does that conclude your testimony? **YES**

1 Original and 17 copies mailed/delivered

2 This 14th day of May, 2007 to:

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

7 Copies of the foregoing mailed/delivered

8 This 14th day of May, 2007 to:

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