

ORIGINAL



0000082172

February 25, 2008

Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

RECEIVED

2008 FEB 26 A 11: 33

Arizona Corporation Commission²⁸
DOCKETED

FEB 26 2008

RE: Docket #W-0³514A-08-0047

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY	nr
-------------	----

Response from Complainant RE: Payson Water Company Answer & Motion to Dismiss

To Whom It May Concern:

I am writing in response to document received from FenneMore Craig, P.C.-Answer & Motion to Dismiss.

I see from this document that once again Payson Water Company is trying to pull the wool over the Commissions eyes. The document pertains some items that need to be brought to the Commissions attention.

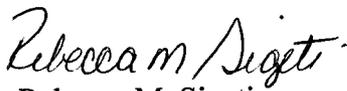
1. The company Payson Water company claims that their own representative that attended the meeting on November 10, 2007-Myndi Brogdon-denies acknowledgment that there were statements made by her in this meeting that she would follow up on tasks assigned. She was sent a letter with all copies of notes and these notes were provided to her right after the meeting. She stated in front of more than 75 people that she would commit to follow up on those items listed in the notes.
2. I have not been contacted in any way by Myndi Brodgon since this meeting took place on November 10th and have not been told by anyone that Payson Water Company was willing to discuss anything.
3. Respondent denies that there exists any "storage and water" issue that requires resolution-THIS IS ABSURD. WHAT have we citizens been doing all this time trying to resolve this issue? We have been writing our commissioners, filing complaints and trying to get the Arizona Corporation Commission and Payson Water Company to do something regarding our Storage & Water issue. Let me remind everyone that Steve Olea sent an email transmission that states there is not sufficient storage to sustain both Geronimo Estates and Elusive Acres.
4. Yes I filed a motion to intervene on another Docket W-03514A-07-0386, however I have not received anything from the Commission as to being accepted on that docket. I felt it was plenty of time since this Docket had been filed and no acknowledgement had taken place to be an intervener on this docket so I filed my own formal complaint.
5. I am wondering why the Commission sent a certified mailing of my complaint to Payson Water Company giving them an opportunity to respond to my complaint before I was even notified in writing from the Commission of what my Docket number on this case was. The only way I even knew the docket number was

because I received the letter from the attorneys for Payson Water Company. Is the Commission working for Payson Water Company? Or does the Commission work for me the voting public? Why did Payson Water Company get an opportunity to respond to this complaint before I was even notified of my Docket number in this case?

6. Stated in Payson Water Company's affirmative defense is the statement "Complainant fails to state a claim upon which relief can be granted." THIS AGAIN IS ABSURD. My complaint is based on the fact that Payson Water Company continues to supply water from the Elusive Acres Well to Geronimo Estates subdivision users. The Elusive Acres Well was never designed and/or is capable of maintaining all the homes that includes Geronimo Estates. As far as I am concerned Payson Water Company took it upon themselves to supply this water to Geronimo when they knew fully that the Elusive Acres System was built and designed to provide water to Elusive Acres Customers only.
7. It is my understanding that in order to protect the homeowners of Elusive Acres and be insured that water will be supplied with the system for Elusive Acres that my request for Payson Water Company to turn this Well System back to its rightful owners the Elusive Acres Homeowners this is the relief I am expecting from this complaint.

Once Again I want the Commission to know I will not be going away. I will also take all legal actions necessary to make sure that the Elusive Acres Well Site & System is turned back over to the rightful owners and that we will be able to provide water to our neighbors in Elusive Acres as our Real Estate Report and CCR's states. I am consulting with an attorney at this time to proceed with legal action if necessary to obtain my rights as a homeowner of Elusive Acres.

Respectfully



Rebecca M. Sigeti
HC 7 Box 451
Payson, AZ 85541

Arizona Corporation Commission-Docket Control (1-Original & 13 copies)
Cc: Dwight Nodes, Assistant Chief Administrative Law Judge
Cc: Bradley Morton, Consumer Services -Utilities Division
Cc: Payson Water Company/Brooke Utilities, Inc.
Cc: Gliedge Law Offices, PLLC