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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
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2009 OCT -5 A 9:10
AZ CORP COMMISSION
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Arizona Corporation Commission
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IN THE MATTER OF THE FORMAL
COMPLAINT OF CHARLES J. DAINS AGAINST
RIGBY WATER COMPANY

DOCKET NO. W-01808A-09-0137

MOTION TO CONTINUE HEARING

1 Charles J. Dains ("Mr. Dains") hereby moves to briefly continue the hearing scheduled in
2 the above-captioned docket.

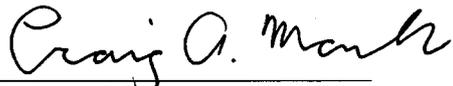
3 By Procedural Order dated September 15, 2009, Judge Kinsey scheduled an evidentiary
4 hearing in this matter for October 29, 2009. Mr. Dains greatly appreciates the opportunity to
5 present his case, but unfortunately, one of his witnesses will be out of the country the week of
6 October 26, 2009. All witnesses should be generally available for the rest of the year, beginning
7 the week of November 2, 2009.

8 Mr. Dains understands that the hearing calendar is very full and suggests that a brief
9 procedural conference with the parties and Commission Staff would be useful to reschedule the
10 hearing and avoid further delays. Counsel for Mr. Dains has a very full hearing calendar for the
11 next three weeks, so it would be easiest to contact him on his mobile phone at (480) 518-6857 to
12 schedule a procedural conference.

13 The Procedural Order also ordered that: "parties shall exchange witness lists, a summary
14 of each witnesses' testimony, and copies of any exhibits that they intend to introduce at the
15 hearing no later than October 16, 2009." Mr. Dains also moves to reschedule the October 16,
16 2009, date to a date of two weeks before the rescheduled hearing date.

17 Mr. Dains regrets any inconvenience to the Judge, Commission Staff, or Rigby Water.

1 RESPECTFULLY SUBMITTED on October 5, 2009.
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12 Attorney for Charles J. Dains

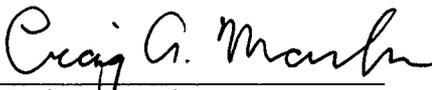
13 Original and 13 copies **filed**
14 on October 5, 2009, with:

15
16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, Arizona 85007
20

21 Copy **mailed and e-mailed**
22 on October 5, 2009, to:

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37 Craig A. Marks
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