

ORIGINAL

Arizona Corporation Commission

DOCKETED

DEC 15 2009



0000106183

Roger Chantel
10001 E. hwy 66
Kingman, AZ 86401



2009 DEC 15 P 4: 42

Arizona Corporation Commissioners, Staff and
Administrative Judges and Cooperatives

AZ CORP COMMISSION
DOCKET CONTROL

On September 30, 2008 I filed an Informal Complaint No. 2008-71811 and on March 24, 2009 I filed a Formal Complaint Docket No. E-01750A-09-0149 with the Arizona Corporation Commission. The complaints addressed the following issues:

1. The unnecessary de-energizing of electricity to my place of residence.
2. Mohave Electric Cooperative's (MEC) unsafe line condition on my property.
3. The issue that MEC had no right to be on my property because they did not have a recorded right-of-way.
4. MEC put my life in danger by not giving me prior written notice that they were going to de-energize the electricity to my house.

These are some of the issues and others that are listed in both the Informal and Formal Complaint and the civil suit filed in Mohave Superior Court. If you review the written testimony that is on file in the Commission's possession and read the Informal Complaint you will see that the assessment issued by Brian McNeil's office and one of his employees Steven Olea has a great deal of misrepresentations of laws and how the general public would interpret them. He also states that many of the items are outside of the jurisdiction of the Arizona Corporation Commission. One of the main issues is the misleading and unethical conduct of this utility and its Collective Cooperative partners. Mohave Electric Cooperative, Arizona Electric Power Cooperative, Duncan Valley Electric Cooperative, Graham County Electric Cooperative, and Trico Electric Cooperative claim that they are acting as a collective "Cooperative" Docket No. E-01773A-05-0723. The Legal firm, known as Gallagher & Kennedy and all their legal staff, should know that the above list of Cooperatives is privately owned by the members. This legal firm knows that the members have to approve a voted on resolution that transfers these kinds of related powers from members and the board of directors to some other legal authority. If Ernest Johnson, Ray Williamson, Brian Bozzo and Dennis Criswell have failed in their responsibility to have Gallagher & Kennedy submit the necessary documents that says that the members "owners" of the cooperative have signed documents to create a Collective Cooperative, they should be responsible to have the individual cooperatives submit their own REST Plan. It appears that this Collective Cooperative should have to file an Application for Certificate of Convenience and Necessity R14-2-1002, so the Commissioners and its staff and the public know who is responsible for the actions of the Collective Cooperative. Authorities and the general public should be allowed to know their address, how they are going to handle complaints, what their legal foundation is, what their legal responsibility is, what their method of financing their operations are, their projected annual operating expenses and a statement of their intentions as a Collective Cooperative. These are just a few questions that the Commission and the general public need to know about this Collective Cooperative. It appears that the Collective Cooperatives are acting as a legal unit by filing reports in ACC docket control center, working as a unit in collecting and distributing REST plans and funds. It appears that the Collective Cooperative is operating outside the cooperative non-profits status or the cooperatives are operating outside of this claimed area. What has not been established is whether they are responsible to pay some of MEC's multi-million dollar law suit bills.

If you read the laws regarding the REST Plan, you will find in R14-2-1808 it states that each Utility shall file within 60 days a Tariff filing with alternative surcharge amounts. Some employees of the Arizona Corporation Commission may make special decisions that allow some cooperatives to file in a different manner than other utilities and cooperatives. This leads to the promotion of corruption within the Arizona Corporation Commission. It is necessary for every employee to promote same filings by every utility and cooperative. If any type of collective cooperative filing is permitted it is easy to bring corruption into the monitoring of the REST Plan. The Commission's employees have a responsibility to request the Collective Cooperative members, Arizona Electric Power Cooperative, Duncan Valley Electric Cooperative, Graham County Electric Cooperative, Mohave Electric Cooperative, and Trico Electric Cooperative file their own individual REST Plan.

It appears that this collective cooperative is trying to gain control of the hundreds of millions of dollars that are being generated by the REST Plan. Their docketed filings and their actions and unwillingness to promote net metering is a clear indication that they want to use REST tax dollars to control the energy market in and around the State of Arizona. Even though it is not clear as to who is promoting the idea of Solar Thermal Energy plants it is clear that these plants will use the most valuable natural resource we have. That is water. If the people in the cities get even a small hint that cities are getting short of water, there will be so much uncontrollable activity that our governments may not be able to control this kind of action. Water usage must be protected at all cost!

The illegal activities, misrepresentations of facts, and the promotion of corrupting state and county officials are just a few activities of the legal firm of Curtis, Goodwin, Sullivan, Udall & Schwab and their client MEC. If you examine the legal case filed in Mohave Superior Court No. 2009-0058 you will find that this firm misrepresents its fees to the court by well over 300%. If you examine the motion, to inspect my art work, that has been filed with the Commission, you will find they stated that their main purpose is to discredit me and my art work by making claims that I am using my art work for other purposes than what I claimed. In all of my pleadings and my attorney's pleadings, I have always stated that my art work has had multiple purposes. At the end of their motion, they want the Commission's Administrative Judge to give them rights to invade my entire property premises. If you examine a Facsimile Transmission Sheet dated August 7, 2008 you will find that they failed to mention that I, Roger Chantel, was acting in the interest of the general public by requesting and taking self preservation action to protect him and the general public from the unsafe line conditions that exist in MEC's high voltage transmission lines. It appears that MEC misrepresented the National Electrical Safety Code by claiming that an art work or a structure could not be built under their overhead power lines. The code allows art work, signs, structures and a large variety of other objects to exist under these lines. The solution to the unsafe lines was to bring these unsafe high voltage transmission lines in compliance with today's standards by placing one pole in the middle of these sagging lines. As you can see it was MEC's aggressive actions and misrepresentations of facts and probably some kind of benefit cooperation with Darrel Riedel at Mohave County Planning Department that has caused the filing of complaints and legal actions. It appears that this legal firm is using the ACC to slander my name, my person and the art work, and structures that exist on my property. If you read MEC's last sentence, MEC also desires to make a courteous inspection of the (Chantel's) premises to determine if there are other underground facilities that are used for storage on the premises. I lack understanding why the storage areas that may or may not exist on my property are being brought in front of the ACC. If any one individual listed below wants to view my art work I invite them to make an appointment with me.

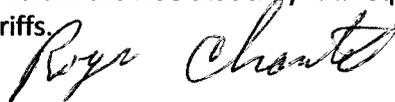
The issue is how much legal corruption is in the ACC offices, such as Ernest Johnson, Ray Williamson, Brian Bozzo, Chris Baggett, Administrative Judges, and other employees of the Arizona Corporation

Commission. That probably can be assessed by whether the people assessing this complaint are looking at the laws, Constitution, of personal property rights and the unsafe conditions of MEC's lines and poles that exist on my property and other properties around the state. If you examine the informal complaint it definitely appears that some ACC employees are covering up the issues of MEC's unsafe line conditions.

I have included a Copy of the September 12, 2008 letter that was sent to John Williams of MEC. If you read the address you will find it is 9455 E. Highway 66. This is the address appears to have bend assigned by Mohave County and appears to be the location of the unsafe electrical hazard that exist on my property. Mohave County requested that the electrical hazard area be disconnected. I support the disconnection of this unsafe hazard area in MEC's high voltage transmission line. The problem is that some of the employees of the ACC are supporting the malicious conduct of MEC by failing to recognize that it was MEC's full intent to do harm to me by disconnecting the electric from the place of residence, which is located at 10001 E. Hwy 66. See informal and formal complaints. What is not clear is how much corruption the law firm of Curtis, Goodwin, Sullivan, Udall & Schwab are involved in when it comes to Mohave County officials. The activity happening around this case and the REST Plan clearly represents the fact that there is corruption within the ACC employment. It is not clear as to how much and whether the ACC has the ability to correct the corruption that exists.

I am instructing my attorney to file the necessary paper work to recess Complaint E-01750A-09-0149, so we can complete the legal case that has been filed in Mohave County Superior Court No. CV 2009-02574. I believe this will give the ACC employees time to request the proper filing from the Collective Cooperative. It should be noted that many of these cooperatives have unsafe lines and may be one reason why they spend so much money influencing ACC employees. It may be time for the ACC to examine these cooperatives that are in the collective Cooperative for unsafe line conditions and if they are unable to pay for the needed up grades it is time to revoke their nonprofit statutes and place them in a utility statues. Failure to provide safe line conditions is a supportive argument that there is corruption that exists and must be exposed. I would like to mention that it appears that some members in the ACC are moving forward in an attempt to remove the corruption from the ACC. I make my assessment on the fact that the recess is being considered, so all parties can examine the fundamentals without interference.

It should be noted that I have tried to settle this complaint with MEC on several occasions. They corrupt people in different authorities and then bring them into the complaint to prevent this case from being resolved. It appears that the people that are being corrupted will have to pay for their involvement when this case goes to trial. We have not put together the report to the Arizona State Attorney Office, the Arizona State Legislature, press releases or the one to the Arizona Bar Association. Our hope is that there are enough honest state employees left in the ACC that they will request each individual cooperative to file their own REST Plan tariffs.



Respectfully submitted to:

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5 *Attorneys for Plaintiffs*

6
7 IN THE SUPERIOR COURT OF ARIZONA
8 COUNTY OF MOHAVE

9 DUSTIN R. CHANTEL and ELIZABETH D.
CHANTEL, husband and wife,

10 Plaintiffs,

11 vs.

12 MOHAVE ELECTRIC COOPERATIVE, INC.,
an Arizona non-profit corporation; JOHN and
13 JANE DOES I-X; BLACK and WHITE
CORPORATIONS I-X,

14 Defendants.
15

Case No. *CV2009-02574*

SUMMONS

16 THE STATE OF ARIZONA TO DEFENDANT: Mohave Electric Cooperative, c/o
17 Statutory Agent Robert E. Broz, 1999 Arena Drive, Bullhead City, Arizona 86430.

18 YOU ARE HEREBY SUMMONED and required to appear and defend, within the time
19 applicable, in this action in this Court. If served within Arizona, you shall appear and defend
20 within 20 days after the service of the Summons and Complaint upon you, exclusive of the day
21 of service. If served out of the State of Arizona – whether by direct service, by registered or
22 certified mail, or by publication – you shall appear and defend within 30 days after the service
23 of the Summons and Complaint upon you is complete, exclusive of the day of service. Where
24 process is served upon the Arizona Director of Insurance as an insurer's attorney to receive
25 service of legal process against it in this state, the insurer shall not be required to appear, answer
26 or plead until expiration of 40 days after date of such service upon the Director. Service by

1 registered or certified mail without the State of Arizona is complete 30 days after the date of
2 filing the receipt and affidavit of service with the Court. Service by publication is complete 30
3 days after the date of first publication. Direct service is complete when made. Service upon the
4 Arizona Motor Vehicle Superintendent is complete 30 days after filing the Affidavit of
5 Compliance and return receipt or Officer's Return. RCP 4, A.R.S. §§ 20-222, 28-502, 28-503.

6 YOU ARE HEREBY NOTIFIED that in case of your failure to appear and defend within
7 the time applicable, judgment by default may be rendered against you for the relief demanded in
8 the Complaint.

9 YOU ARE CAUTIONED that in order to appear and defend, you must file an Answer or
10 proper response in writing with the Clerk of this Court, accompanied by the necessary filing fee,
11 within the time required, and you are required to serve a copy of any Answer or response upon
12 the Plaintiffs' attorney. RCP 10(d); A.R.S. §12-311; RCP 5.

13 Requests for reasonable accommodation for persons with disabilities must be made to the
14 Court by parties at least three working days in advance of a scheduled court proceeding.

15 The name and address of Plaintiffs' attorney is:

Jonathan A. Dessauls
Dessaules Law Group
2700 N. Central Avenue, Suite 2700
Phoenix, Arizona 85004
602.274.5400

19 SIGNED AND SEALED this date: 11/20/09 **VIRLYNN TINNELL**
20 Clerk of Superior Court

21 By D. Ramos
22 Deputy Clerk

MOHAVE COUNTY PLANNING & ZONING DEPARTMENT

P.O. Box 7000 γ Kingman, Arizona 86402-7000
3675 E. Highway 66, Suite A γ (928) 757-0903 γ FAX 757-3577
1130 East Hancock Road γ Bullhead City, Arizona 86430 γ (928) 758-0707 γ FAX 758-0870



CHRISTINE BALLARD
DIRECTOR

DARRELL RIEDEL
CHIEF BUILDING OFFICIAL

DIVISION OF BUILDING INSPECTION

September 12, 2008

MOHAVE ELECTRIC COOPERATIVE
ATTENTION: JOHN WILLIAMS
FAX: 928-763-6094

RE: 9455 E HIGHWAY 66, T 23N, R 14W, SECTION 5, PARCEL 313-11-006.

The Building Official has found the building on the above mentioned property to be UNSAFE due to the existence of electrical hazards, which are prohibited under Section 108 of the 2003 International Property Maintenance Code.

The owner of the above mentioned property has failed to comply with previous notices of the unsafe situation to include stop work orders and meetings with both the Chief Building Official and representatives from your office. Therefore we are requesting that the power be disconnected at the above mentioned property immediately.

Sincerely,

Mike Dorman
Combination Building Inspector Senior

MD: tmo