

1 ORIGINAL

BEFORE



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MISSION

Arizona Corporation Commission

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4 Gary Pierce

5 Sandra D. Kennedy

6 Paul Newman

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AZ CORP COMMISSION
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8 IN THE MATTER OF THE FORMAL COMPLAINT
9 OF MARSHALL MAGRUDER FILED WITH THE
10 ARIZONA CORPORATION COMMISSION ON
11 DECEMBER 5, 2008

Docket No. E-04204A-08-0589

13 April 2010

12 **Fling of a Motion to Quash:**

13 **UNS Electric's Motion to Dismiss with Prejudice and**

14 **UNS Electric's Motion to Stay Procedural Schedule**

15 This filing responds to the Motions on 12 April 2010 by UNS Electric to Dismiss with
16 Prejudice and to Stay the Procedural Schedule that are without merit, untimely and burdensome
17 to this party who has patiently waited nearly a decade for answers to questions that can only be
18 responded to by cross-examination under oath. The forthcoming Responsive Testimony gives
19 UNS Electric ample opportunity to present it issues in the course of the forthcoming Hearings.

20 As a customer and ratepayer of UNS Electric, and as a citizen of Santa Cruz County, I expect
21 my electric company to provide safe and reliable electricity and required by its CC&N, Arizona
22 statutes, and administrative codes. It was the failure to provide electricity that resulted in the
23 first two issues (student loans and improved distribution system reliability) in this complaint,
24 and the associated resultant Commission Orders for compensation of damages and improved
25 service. The third issue is a safety issue concerning customers on medical life support systems.

26 My complaint has demanded the company fulfill its obligations for the first two issues that
27 are not directly related to ACC Decision No. 70360 but to prior Decisions and safety concerns.

28 It is recommended that UNS Electric make its case in their Responsive Testimony, which
29 then will be responded to in my Rebuttal, and that the hearings held as now scheduled.

30 Respectfully submitted on this 13th day of April 2010.

31 MARSHALL MAGRUDER

32 By Marshall Magruder
33 Marshall Magruder

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2 **Service List**

JAM/DHC

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24 Interested Parties (1 copy each) are filed this date by email:

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