

**OPEN MEETING AGENDA ITEM**



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**BEFORE THE ARIZONA CORPORATION COMMISSION**

**RECEIVED**

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**COMMISSIONERS**  
KRISTIN K. MAYES, CHAIRMAN  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

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AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF  
LITCHFIELD PARK SERVICE COMPANY,  
AN ARIZONA CORPORATION, FOR A  
DETERMINATION OF THE FAIR VALUE OF  
ITS UTILITY PLANTS AND PROPERTY AND  
FOR INCREASES IN ITS WATER AND  
WASTEWATER RATES AND CHARGES FOR  
UTILITY SERVICE BASED THEREON.

**DOCKET NO. SW-01428A-09-0103**

Arizona Corporation Commission

**DOCKETED**

NOV 19 2010

DOCKETED BY *[Signature]*

IN THE MATTER OF THE APPLICATION OF  
LITCHFIELD PARK SERVICE COMPANY,  
AN ARIZONA CORPORATION, FOR A  
DETERMINATION OF THE FAIR VALUE OF  
ITS UTILITY PLANTS AND PROPERTY AND  
FOR INCREASES IN ITS WATER RATES  
AND CHARGES FOR UTILITY SERVICE  
BASED THEREON.

**DOCKET NO. W-01427A-09-0104**

IN THE MATTER OF THE APPLICATION OF  
LITCHFIELD PARK SERVICE COMPANY,  
AN ARIZONA CORPORATION, FOR  
AUTHORITY (1) TO ISSUE EVIDENCE OF  
INDEBTEDNESS IN AN AMOUNT NOT TO  
EXCEED \$1,755,000 IN CONNECTION WITH  
(A) THE CONSTRUCTION OF TWO  
RECHARGE WELL INFRASTRUCTURE  
IMPROVEMENTS AND (2) TO ENCUMBER  
ITS REAL PROPERTY AND PLANT AS  
SECURITY FOR SUCH INDEBTEDNESS.

**DOCKET NO. W-01427A-09-0116**

1 IN THE MATTER OF THE APPLICATION OF  
2 LITCHFIELD PARK SERVICE COMPANY,  
3 AN ARIZONA CORPORATION, FOR  
4 AUTHORITY (1) TO ISSUE EVIDENCE OF  
5 INDEBTEDNESS IN AN AMOUNT NOT TO  
6 EXCEED \$1,170,000 IN CONNECTION WITH  
7 (A) THE CONSTRUCTION OF ONE 200 KW  
8 ROOF MOUNTED SOLAR GENERATOR  
9 INFRASTRUCTURE IMPROVEMENTS AND  
10 (2) TO ENCUMBER ITS REAL PROPERTY  
11 AND PLANT AS SECURITY FOR SUCH  
12 INDEBTEDNESS.

DOCKET NO. W-01427A-09-0120

**CITY OF LITCHFIELD PARK'S  
MOTION TO STRIKE BENCH  
BRIEF**

9 The City of Litchfield Park (the "City") hereby moves to strike the Bench Brief  
10 filed by the Litchfield Park Service Company ("LPSCO") on November 15, 2010. The  
11 Commission rules do not authorize the filing of a Bench Brief. LPSCO had a full opportunity  
12 to present argument on the "Constitutional Right to a Fair Rate of Return" in post hearing  
13 briefs and did so extensively. *See e.g.*, LPSCO's Initial Closing Brief dated February 10,  
14 2010 at pp. 6-12. The Commission did not request further briefing on the issue and should  
15 strike and completely disregard the improper and unrequested Bench Brief filed by LPSCO.

16 DATED this 19<sup>th</sup> day of November, 2010.

17  
18 CURTIS, GOODWIN, SULLIVAN,  
19 UDALL & SCHWAB, P.L.C.

20  
21 By:   
22 William P. Sullivan  
23 Susan D. Goodwin  
24 Larry K. Udall  
25 501 East Thomas Road  
Phoenix, Arizona 85012-3205  
Attorneys for the City of Litchfield Park



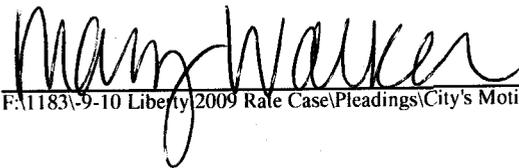
1 Michelle Wood, Counsel  
Residential Utility Consumer Office  
2 1110 West Washington Street, Suite 220  
Phoenix, Arizona 85007-2958

3 Martin Aronson  
4 Robert J. Moon  
Morrill & Aronson, PLC  
5 One East Camelback Road, Suite 340  
Phoenix, Arizona 85012-0000

6 Craig A. Marks  
7 Craig A. Marks PLC  
10645 North Tatum Blvd., Ste 200-676  
8 Phoenix, Arizona 85028

9 Copies of the foregoing mailed this  
19th day of November, 2010 to:

10 Chad & Jessica Robinson  
15629 W. Meadowbrook Ave.  
11 Goodyear, Arizona 85395

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