

ORIGINAL

OPEN MEETING AGENDA ITEM



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AZ CORP COMMISSION  
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE FORMAL  
COMPLAINT OF CHARLES J. DAINS  
AGAINST RIGBY WATER COMPANY

DOCKET NO. W-01808A-09-0137

**RIGBY WATER COMPANY'S  
MOTION TO STRIKE  
COMPLAINANT'S RESPONSE TO  
RIGBY WATER COMPANY'S  
EXCEPTIONS**

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Arizona Administrative Code R14-3-110(B) specifically provides that "[t]here shall be no reply to exceptions" to a recommended opinion and order. Despite this clear directive, Complainant filed a Response to Rigby Water Company's Exceptions dated March 24, 2011 (the "Response"). Because the Response violates the Commission's Rules of Practice and Procedure, Rigby Water Company respectfully requests that the Commission strike Complainant's Response and preclude any consideration of that Response.

RESPECTFULLY SUBMITTED this 25th day of March, 2011.

BRYAN CAVE LLP

Arizona Corporation Commission

DOCKETED

MAR 25 2011

DOCKETED BY

By

Steven A. Hirsch, #006360  
Stanley B. Lutz, #021195  
Two N. Central Avenue, Suite 2200  
Phoenix, AZ 85004-4406  
Attorneys for Rigby Water Company

1 ORIGINAL and 13 copies of the foregoing  
2 filed this 25th day of March, 2011 with:

3 Docket Control Division  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 COPIES of the foregoing hand-delivered  
8 this 25th day of March, 2011, to:

9 Lyn A. Farmer, Esq.  
10 Chief Administrative Law Judge  
11 Hearing Division  
12 Arizona Corporation Commission  
13 1200 W. Washington  
14 Phoenix, AZ 85007

15 Mr. Stephen M. Olea  
16 Director, Utilities Division  
17 Arizona Corporation Commission  
18 1200 W. Washington  
19 Phoenix, AZ 85007

20 Janice Alward, Chief Counsel  
21 Legal Division  
22 Arizona Corporation Commission  
23 1200 W. Washington Street  
24 Phoenix, AZ 85007

25 COPY of the foregoing mailed/mailed  
26 this 25th day of March, 2011  
27 to:

28 Craig A. Marks, Esq.  
Craig A. Marks, PLC  
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Suite 200-676  
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