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AZ CORP COMMISSION
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Arizona Corporation Commission

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MAY 25 2011

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[Signature]

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2 Douglas C. Wigley, State Bar No. 027223
3 DESSAULES LAW GROUP
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5 Phoenix, Arizona 85004
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8 *Attorneys for Complainants*

9 **BEFORE THE ARIZONA CORPORATION COMMISSION**

10 **COMMISSIONERS**

11 KRISTIN K. MAYES, CHAIRMAN
12 GARY PIERCE
13 PAUL NEWMAN
14 SANDRA D. KENNEDY
15 BOB STUMP

16 IN THE MATTER OF THE FORMAL
17 COMPLAINT AGAINST MOHAVE
18 ELECTRIC COOPERATIVE INC. FILED BY
19 ROGER AND DARLENE CHANTEL.

Docket No. E-01750A-09-0149

**APPLICATION TO WITHDRAW AS
COUNSEL OF RECORD**

20 Pursuant to the Rule 14-3-103(E) of the Corporation Commission – Rules of Practice and
21 Procedure, Jonathan A. Dessauls, Douglas C. Wigley, and the firm of Dessauls Law Group
22 hereby move to withdraw as counsel of record for Complainants Roger and Darlene Chantel
23 (“Complainants”) in the above captioned matter. Undersigned counsel avows the following:

- 24 1. Complainants have been notified in writing of the status of the case and any
- 25 pending dates and times of any hearings or other matters; and
- 26 2. Good cause exists to permit withdrawal of counsel.

This application is supported by the attached Memorandum of Points and Authorities, the
Declaration of Counsel appended hereto, and the Commission’s file in this matter.

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Complainants filed their formal complaint seeking, among other things, an order forcing
3 Mohave Electric Cooperative, Inc. ("MEC") to reestablish electric service to their residence and
4 invalidation of MEC's invoice(s) related to erecting a new power line located adjacent to the
5 Complainants' property. Prior to disposition of this ACC matter, Complainants filed a lawsuit
6 in Arizona Superior Court for Mohave County (the "Superior Court Action") seeking damages
7 and declaratory and injunctive relief against MEC for, among other things, Defendant's
8 improper and unauthorized shut-off of electricity to the Plaintiffs' house, failure to maintain safe
9 power lines on Defendants' property, a determination as to the propriety of charging Plaintiffs
10 for relocating unsafe lines, and other actions. After filing the Superior Court Action,
11 Complainants moved here to recess the formal complaint pending the resolution of the Superior
12 Court Action. The Commission granted Complainants' Motion to Recess and ordered the
13 Complainants to file quarterly status updates regarding the Superior Court Action, which is not
14 resolved at this time.¹

15 In the event the Commission requires additional details regarding the reasons for seeking
16 withdrawal before granting this application, counsel would be willing to expand on the grounds
17 for this application, with opposing counsel's permission, at an *ex parte* hearing in order to
18 maintain the attorney-client privilege. Counsel certifies, however, that the attorney-client
19 relationship has reached a stage where they can no longer continue to represent the
20 Complainants in this matter. Among other things, (i) the Complainants have failed to fulfill an
21 obligation of the fee agreement such that continued representation will result in an unreasonable
22 financial hardship on counsel and the firm; and (ii) an irreparable deterioration of the attorney-
23 client relationship now exists such that undersigned counsel believes it is appropriate to
24

25
26 ¹ Undersigned counsel has also moved to withdraw as counsel of record for the
Complainants in the Superior Court Action.

1 withdraw pursuant to ER 1.16(b). Again, counsel would be willing to elaborate on these matters,
2 but is not doing so in this motion in order to preserve the attorney-client privilege.

3 The names, address and telephone number of the Complainants are:

4 Roger and Darlene Chantel
5 10001 East Highway 66
6 Kingman, Arizona 86404
7 (928) 757-9755

8 Good cause exists for counsel to withdraw from representation in this matter. The
9 Clients have been apprised of all relevant deadlines and the status of the proceedings.

10 Based on the above, the undersigned respectfully requests that he, Douglas Wigley, and
11 the firm of Dessauls Law Group be allowed to withdrawal as counsel of record.

12 DATED this 25 day of May 2011.

13 DESSAULES LAW GROUP

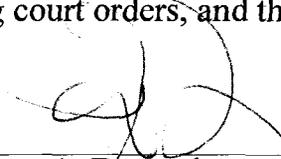
14 By: 

15 Jonathan A. Dessauls
16 Douglas C. Wigley
17 Attorneys for Complainants

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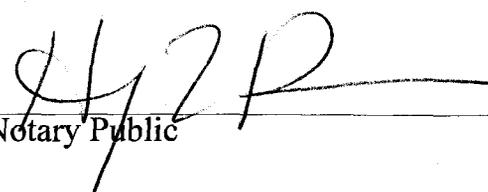
DECLARATION OF COUNSEL

I, Jonathan A. Dessaulles, hereby certify and avow that the clients have been notified in writing of the status of the case including the dates and times of any court hearings or trial settings, pending compliance with any existing court orders, and the possibility of sanctions.



Jonathan A. Dessaulles
Dessaulles Law Group

SUBSCRIBED AND SWORN before me this 25th day of May 2011.



Notary Public

My Commission Expires:



HILARY PETERS
Notary Public--Arizona
Maricopa County
Expires 03/31/2015

