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BEFORE THE CORPORATION COMMISSION  
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Commissioners

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AZ CORP COMMISSION  
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SEP 23 2011

ARIZONA CORP. COMM  
400 W CONGRESS STE 218 TUCSON AZ 85704

**JOHN E. DOUGHERTY**  
**COMPLAINANT**

V.

**MONTEZUMA RIMROCK WATER**  
**COMPANUY, LLC.**

**RESPONDENT**

**Docket No. W-04254A-11-0323**

**MOTION TO MODIFY**  
**FORMAL COMPLAINT**

On September 22, 2011, during a procedural conference in W-04254A-11-0296, it was revealed for the first time that Company funds have been used to make automobile loan payments for a vehicle driven by Company manager, Patricia Olsen.

It was also revealed that Company funds have been used to make mortgage payments through a Wells Fargo account for an unknown property.

Complainant now moves the Commission to add an additional allegation (Allegation IVI) to the Formal Complaint submitted on August 23, 2011.

**Allegation XVI**

“The Company has diverted a significant amount of Ratepayer funds for the personal enrichment of Company manager Patricia Olsen and her family beyond a reasonable salary and rate of return.

The diversion includes Company funds used to pay for an automobile driven by Company manager, Patricia Olsen, and mortgage payments for an unknown property.

Commission Decision No. 67583 states:

*MRWC shall maintain its books and records in accordance with the NARUC Uniform System of Accounts*

Arizona Corporation Commission

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The previously undisclosed diversions of Ratepayer funds for automobile loan payments and mortgage payments raise serious questions over the accuracy and veracity of the Company's financial statements and Annual Reports for the years such payments have occurred.

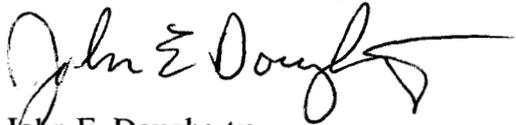
Complainant now requests a full and complete accounting of all Company funds used to make loan payments for the automobile regularly driven by Ms. Olsen.

Complainant now requests a full and complete disclosure of Company funds used towards the down payment of this vehicle and for all Company funds used to pay title and registration fees, state and county sales taxes and insurance.

Complainant now requests a full and complete accounting of all Company payments made to Wells Fargo Bank for a mortgage.

Complainant now requests full disclosure of the identity and owners of the property for which the mortgage payments are being made."

Dated this 23<sup>th</sup> Day of September, 2011



John E. Dougherty  
Complainant

Copies of the foregoing mailed  
This 23th day of September, 2011 to:

Douglas C. Fitzpatrick  
LAW OFFICE OF DOUGLAS C. FITZPATRICK  
49 Bell Rock Plaza  
Sedona, AZ 86351

Patricia D. Olsen, Manager  
MONTEZUMA RIMROCK WATER COMPANY, LLC  
P.O. Box 10  
Rimrock, AZ 86335