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Rimrock Water Company, LLC

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP 30 2011

DOCKETED BY *ADG*

BEFORE THE ARIZONA CORPORATION COMMISSION

JOHN E. DOUGHERTY,)	DOCKET NO. W-04254A-11-0323
)	
Complainant,)	ANSWER TO COMPLAINT
)	
-vs-)	
)	
MONTEZUMA RIMROCK WATER)	
COMPANY, LLC,)	
)	
Respondent.)	

Respondent Montezuma Rimrock Water Company LLC, by its undersigned counsel, answers John E. Dougherty's complaint originally filed on August 23, 2011 and subsequently amended on September 23, 2011 and September 23, 2011:

1. In response to the first allegation of the complaint, Respondent admits that the note to Anna Barbara Brunner was not disclosed in the annual reports for 2006 through 2009.
2. In response to the second allegation of the complaint, Respondent is without information sufficient to form a belief as to the truth or falsity of said allegation and therefore denies it.

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3. In response to the third allegation of the complaint, Respondent is without information sufficient to form a belief as to the truth or falsity of said allegation and therefore denies it.
4. In response to the fourth allegation of the complaint, Respondent admits that Well #4 is included in the "Water Company Plant Description" and that it does not have a Certificate of Compliance to operate the well; Respondent denies the remaining allegations of paragraph IV.
5. Respondent denies the allegations of paragraph V.
6. Respondent denies the allegations of paragraph VI.
7. Respondent admits the allegations of paragraph VII.
8. Respondent denies the allegations of paragraph VIII.
9. Respondent denies the allegations of paragraph IX.
10. Respondent denies the allegations of paragraph X.
11. Answering paragraph XI, Respondent admits that an arsenic surcharge was improperly invoiced in 2009 for one month.
12. Answering paragraph XII, Respondent admits that an arsenic surcharge was improperly invoiced in 2011 for one month and that it was refunded to the Company's customers.
13. Respondent admits that construction of much of the pipeline occurred in April of 2011 but denies that it intended to connect Well No. 4 to the proposed arsenic treatment facility.
14. Respondent denies the allegations of paragraph XIV.

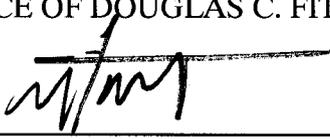
1 15. Answering paragraph XV, Respondent admits that it failed to report to the
2 Commission that some of its records had been stolen.

3 16. Answering paragraph XVI, Respondent denies that it has diverted a significant
4 amount of Ratepayer funds.

5 17. Respondent denies the allegations of the Complaint that are not specifically addressed
6 in paragraphs 1 through 16, supra.
7

8 DATED this 29th day of September, 2011.

9 LAW OFFICE OF DOUGLAS C. FITZPATRICK

10
11 By 
12 _____
13 Douglas C. Fitzpatrick
14 Attorney for Respondent

15 ORIGINAL and 13 copies
16 of the foregoing mailed this
17 29th day of September, 2011,
18 to:

19 Arizona Corporation Commission
20 Docket Control
21 1200 West Washington Street
22 Phoenix, AZ 85007

23 COPY of the foregoing
24 mailed this 29th day of
25 September, 2011, to:

26 Darak R. Eaddy
27 Utilities Division
28 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

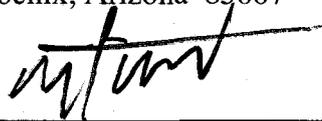
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