

ORIGINAL



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1 Douglas C. Fitzpatrick
2 49 Bell Rock Plaza
3 Sedona, Arizona 86351
4 (928) 284-2190
5 Bar ID #005152
6 fitzlaw@sedona.net
7 Attorney for Montezuma
8 Rimrock Water Company, LLC

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AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

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BEFORE THE ARIZONA CORPORATION COMMISSION

9 IN THE MATTER OF THE APPLICATION OF)
10 MONTEZUMA RIMROCK WATER)
11 COMPANY, LLC FOR APPROVAL OF A)
12 RATE INCREASE.)

DOCKET NO. W-04254A-08-0361

DOCKET NO. W-04254A-08-0362

RESPONSE TO MOTION
TO COMPEL DISCOVERY

12 IN THE MATTER OF THE APPLICATION OF)
13 MONTEZUMA RIMROCK WATER)
14 COMPANY, LLC FOR APPROVAL OF A)
15 FINANCING APPLICATION)

16 The Data Requests which are the subject of Mr. Dougherty's motion are identical to those
17 submitted in the W-04254A-11-0323 docket. He has also submitted the same data requests in
18 the closed emergency rate case, W-04254A-11-0296 and by an Administrative Subpoena Duces
19 Tecum in ****0323 which has been stricken. Mr. Dougherty's numerous submissions of
20 identical discovery requests have caused the Company undue burden, expense and annoyance.
21 In accordance with *ARCP 10[c]*, the Company adopts herein by reference the arguments set forth
22 in its Motion for Protective Order in Docket No. W-04254A-11-0323.

24 DATED this 1st day of November, 2011.

25 LAW OFFICE OF ~~DOUGLAS C. FITZPATRICK~~

26 BY

27 Douglas C. Fitzpatrick
28 Attorney for applicant, Montezuma Rimrock
Water Company, LLC.

1 ORIGINAL and 13 copies
2 of the foregoing mailed this
3 1st day of November, 2011,
4 to:

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

7 COPY of the foregoing
8 mailed this 1st day of
9 November, 2011, to:

9 Darak R. Eaddy
10 Utilities Division
11 Arizona Corporation Commission
12 1200 West Washington Street
13 Phoenix, Arizona 85007

13 John Dougherty
14 PO Box 501
15 Rimrock, Arizona 86335

15 Patricia D. Olsen
16 Montezuma Rimrock Water
17 Company, LLC
18 PO Box 10
19 4615 E. Goldmine Road
20 Rimrock, Arizona 86335

20 Mrs. Janice M. Alward
21 Chief, Legal Division
22 Arizona Corporation Commission
23 Legal Division
24 1200 West Washington Street
25 Phoenix, Arizona 85007

24 Mr. Steven M. Olea
25 Director, Utilities Division
26 Arizona Corporation Commission
27 Legal Division
28 1200 West Washington Street
Phoenix, Arizona 85007

1 Ms. Lyn Farmer
2 Chief, Hearing Division
3 Arizona Corporation Commission
4 Legal Division
5 1200 West Washington Street
6 Phoenix, Arizona 85007



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Douglas C. Fitzpatrick