

ORIGINAL



0000132372

J. Stephen Gehring, Private Citizen
Bobby & Lois Jones, Private Citizens
C/O: 8157 W. Deadeye Rd.
Payson, Arizona 85541
Telephone: (928) 474-9859
In Propria Persona

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

APR 20 2012

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DOCKETED BY
MVA

Before the Arizona Corporation Commission

J. Stephen Gehring, Bobby Jones, Lois
Jones Private Citizens, Injured Parties,
Complainants,

vs.

PAYSON WATER CO. INC./BROOKE
UTILITIES INC.
Respondents.

DOCKET NO. W-03514A-12-0008

NOTICE OF SERVICE OF PROCESS
AND RECORD OF ATTEMPTED
SERVICE OF PROCESS

NOW COMES, the Complainants J. Stephen Gehring, Bobby Jones and Lois Jones, to give Notice of Service of Process on Pearson Transport/Pearson Water Co., and to give further notice by Process Servers Affidavit and "Record of Attempts to Serve Process.

Respectfully submitted this 19th day of April, 2012

J. Stephen Gehring, in Propria Persona

Bobby Jones, in Propria Persona

Lois Jones, in Propria Persona

CERTIFICATE OF SERVICE

The Original and 13 copies of the foregoing were mailed this 19th day April, 2012 to:

DOCKET CONTROL
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Copies of the foregoing were mailed this 19th day April, 2012 to the following:

Bobby and Lois Jones
7325 N. Caballero Rd.
Payson, Az. 85541

Robert T. Hardcastle
P. O. Box 82218
Bakersfield, Ca. 93380

By:

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE- Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

IN THE MATTER OF

J. Stephen Gehring, Bobby Jones, Lois Jones
Private Citizens, injured parties,

Complainants,

vs.

PAYSON WATER CO. INC./BROOKE
UTILITIES INC.

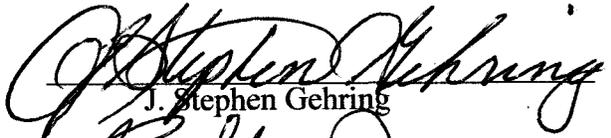
Respondents.

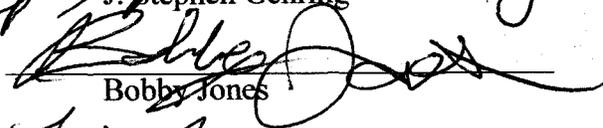
DOCKET NO. W-03514A-12-0008

APPLICATION FOR ADMINISTRATIVE
SUBPOENA DUCES TECUM

Complainant's J. Stephen Gehring, Bobby Jones and Lois Jones requests the issuance of a subpoena duces tecum to Pearson Transport/Pearson Water, pursuant to A.R.S. §§ 40-241, 40-244, A.A.C. R14-3-109, and Ariz. R. Civ. P. 30 and 45 in connection with the administrative hearing in the above-captioned action.

DATED this 14th day of March, 2012.



J. Stephen Gehring


Bobby Jones


Lois Jones

8157 W. Deadeye Rd.
Payson, Arizona 85541
Telephone: (928) 474-9859
FAX: (928) 474-9799
E-mail: stonemason9859@yahoo.com

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 GARY PIERCE- Chairman
4 BOB STUMP
5 SANDRA D. KENNEDY
6 PAUL NEWMAN
7 BRENDA BURNS

8 IN THE MATTER OF

9 J. Alan Smith
10 Private Citizen, injured party,
11
12 Complainants,
13 vs.

14 PAYSON WATER CO. INC./BROOKE
15 UTILITIES INC.

16 Respondents.

DOCKET NO. W-03514A-12-0007

**ADMINISTRATIVE
SUBPOENA DUCES TECUM**

17 **TO: PEARSON TRANSPORT/PEARSON WATER**
18 **P.O. Box 193**
19 **1120 Rodeo Rd.**
20 **Williams, Arizona 86046**
21 **(928) 635-4220**
22 **(928) 635-4811**
23 **(928) 853-4755**

24 YOU ARE HEREBY COMMANDED, pursuant to A.R.S. §§ 40-241, 40-244, A.A.C. R14-3-
25 109 and Ariz. R. Civ. P. 30 and 45 to produce and provide copy no later than Ten Days (10) after
26 receipt of the Subpoena the following documentation to the Complainants; J. Stephen Gehring,
27 Bobby Jones, Lois Jones; 8157 W. Deadeye Rd.; Payson, Arizona 85541 in connection with the
28 administrative proceedings in the above-captioned action and as follows:

1. Un-edited and un-altered any and all copies of the Books, papers, documents or other tangible things, Accounts, Water Hauling Invoices, Water Hauling Logs, Bills of Lading, Waybills, and other documents submitted to Payson Water Co. Inc./Brooke Utilities Inc. by **Pearson Transport/Water and Martin's Trucking Service** for the hauling of water to the Mesa del Caballo and East Verde Park Water Systems as so evidenced in PWC's/BUI's Water Augmentation Charges and Calculations for the periods of May 1, 2011 through October 31, 2011 billing periods and as those other Water Hauling Invoices, Water Hauling Logs, Bills of

1 Lading, Waybills and other documents associated therewith and described herein, including
2 but not limited to the following:

3 a. **Invoice No. 8803** alleged for the period 6/7/11 to 6/8/11 and dated 6/13/11 and any
4 Trucking Contractor records associated with this invoice;

5 b. **Invoice No. 8804** alleged for the period 6/19/11 to 6/20/11 and dated 6/21/11 and any
6 Trucking Contractor records associated with this invoice;

7 c. **Invoice No. 8807** alleged for the period 6/24/11 to 6/24/11 and dated 6/30/11 and any
8 Trucking Contractor records associated with this invoice;

9 d. **Invoice No. 8808** alleged for the period 7/3/11 to 7/3/11 and dated 7/7/11 and any Trucking
Contractor records associated with this invoice;

10 e. **Invoice No. 8811** alleged for the period 6/7/11 to 6/8/11 and dated 7/14/11 and any
11 Trucking Contractor records associated with this invoice;

12 f. **Invoice No. 8812** alleged for the period 6/29/11 to 6/30/11 and dated 7/14/11 and any
13 Trucking Contractor records associated with this invoice;

14 g. Any and all Invoice alleged for the period 8/1/11 to 8/10/11 and the period 8/11/11 to
15 8/12/11 and any Trucking Contractor records associated with these invoices;

16 h. Any and all other Invoices alleged for the period 8/13/11 to 9/30/11 and any Trucking
Contractor records associated with these invoice periods.

17
18 2. The location of where any amount of water was acquired, purchased and hauled from the
19 Town of Payson or any other source and hauled to the East Verde Park Water System and its
20 Customers for the Billing periods a) April to May 2011; b) May to June 2011; c) June to July
21 2011;; d) July to August 2011; e) August to September 2011; and f) September to October
2011;

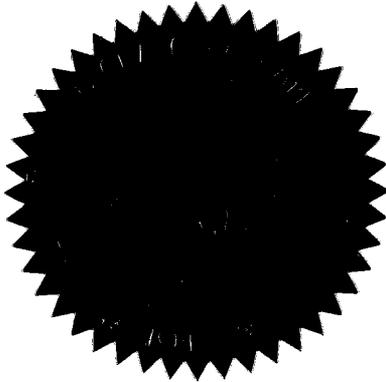
22 YOU HAVE BEEN SUBPOENED BY: J. Stephen Gehring
23 Bobby & Lois Jones
24 8157 W. Deadeye Rd.
25 Payson, Arizona 85541
26 Telephone: (928) 474-9859
FAX: (928) 474-9799

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28 Persons with a disability may request a reasonable accommodation such as a sign language
interpreter, as well as request this document in an alternative format, by contacting Shaylin A. Bernal,
Executive Assistant to the Executive Director, voice phone number 602-542-3931, e-mail
sabernal@azcc.gov. Requests should be made as early as possible to allow time to arrange the
accommodation.

1
2 DISOBEDIENCE OF THIS SUBPOENA constitutes contempt of the Arizona Corporation
3 Commission and may subject you to further proceedings and penalties under law, pursuant to A.R.S.
4 § 40-424.

5 Given under by hand the seal of the Arizona Corporation Commission this, 19th day
6 of MARCH, 2012.

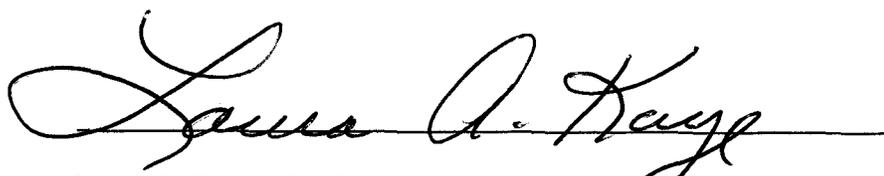



Ernest G. Johnson, Executive Director
Arizona Corporation Commission

28 Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Shaylin A. Bernal, Executive Assistant to the Executive Director, voice phone number 602-542-3931, e-mail sabernal@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

AFFIDAVIT OF SERVICE

The undersigned swears (or affirms) that she is qualified to serve this subpoena and that she did so by showing the original to **Lacey Pearson (daughter)** and informing her of its contents, and by delivering a copy thereof to her at **11:12 am. On April 14, 2012**, Pearson Transportation/Pearson Water: 1120 Rodeo Rd., Williams, Az. 86046

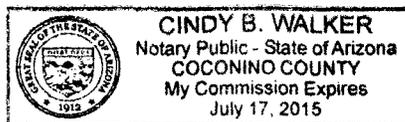


Laura A. Kaye # 2003-001 Registered in Coconino County, Az.

Subscribed and sworn to before me on 04-16 2012

Notary Public Cindy B Walker

My Commission Expires July 17, 2015



RECORD OF ATTEMPTS

Date/Time	Address	Contact
3/23/12 4:25 PM	1120 Rodeo Rd	No one home
3/23/12 4:29 PM	1126 Rodeo Rd.	Bruce Pearson (son/truck driver), stated that Jim and his wife were on vacation and would return on April 2 nd . I showed him the subpoena and explained the contents , including the 10 day time frame, explaining that these papers were similar to the ones I served on the Zabalas. I gave Bruce my cell number and asked him to call his father and have him call me as soon as possible.
3/25/12 12:20 PM	1126 Rodeo Rd.	I spoke with Bruce again and told him that his father never contacted me. Bruce stated that he did call his father, and that his father was not in any hurry to help Payson Utility. I told him that I would wait until Jim got home on the 2 nd of April (Monday).
4/2/12 5:15 PM	1120 Rodeo Rd.	Noticed trucks at Jim's house and went to the door. I heard murmuring behind the door. Bruce's wife opened the door, and I thought I saw the shadows of at least 2 other people go behind the door. She asked me: "Haven't you found him yet?" I said " I wouldn't be here if I had found him." I told her that she and her husband Bruce told me that Jim would be back today. She said "Well, they were supposed to be, but they're not."
4/2/12 about 6:30 PM	Phone Call to 1120 Rodeo Rd(Landline)	I employed Ms. Debbie Woskobochnik to phone the Pearson home in order to determine whether or not the Pearsons' were actually home. Jim Pearson's wife, Cheryl answered the call from Ms. Woskobochnik. Ms. Pearson said that they were back home and for Ms. Woskobochnik to call the next time she was in town and arrange to meet at the Pearson home (1120 Rodeo Rd.)to talk.

I continued to have Ms. Woskobochnik attempt to make contact and serve Mr. Pearson, however, Ms. Woskobochnik never again was able to make contact, either by phone or in person at the door. See list below:

4/3/12 11:00 AM	1120 Rodeo Rd.	No answer
4/4/12 12:00 PM	1120 Rodeo Rd.	No answer
4/5/12 4:00 PM	1120 Rodeo Rd.	No answer
4/7/12 5:00 PM	1120 Rodeo Rd.	No answer
4/8/12 3:30 PM	1120 Rodeo Rd.	No answer
4/9/12 7:30 PM and 9:00 PM	1120 Rodeo Rd.	No answer
4/10/12 5:30 PM	1120 Rodeo Rd.	No answer
4/11/12 4:50 PM	1126 Rodeo Rd.	No answer
4/12/12 1:30 PM	1126 Rodeo Rd.	No answer

4/14/12 11:12 AM 1120 Rodeo Rd. Lacey Pearson (daughter)

Description: 5'7 120 lbs. Blue/Brown

Ms. Pearson stated that Jim and his wife would be home that afternoon. I showed her the documents, read thru portions, specifically the 10 day time limit on production of the requested receipts. She assured me that she would hand them to her father when he got home.