

ORIGINAL

ORIGINAL



0000134346

Beaver Valley Water Co  
PO Box 421  
Payson, Az 85547

RECEIVED

2012 FEB 17 A 9:34

RE: DOCKET NO. W-02015A-11-0416

AZ CORP COMMISSION  
DOCKET CONTROL

HEARING DEPT.

TO WHOM IT MAY CONCERN,

This matter was heard at a pre-trial hearing in January of this year. After hearing this matter the judge ordered Mr. Smith to amend his complaint, file with docket control and provide this utility with a copy. This was to be accomplished by Feb. 8, 2012 (20 days) in order for this utility to properly respond by Feb. 21 as ordered by the ALJ. . Mr. Smith was given 20 days to comply and has failed. As of today, Feb 14, 2012, I have not received any type of correspondence from Mr. Smith.

This complaint was, and is, based entirely on Mr. Smith's willingness to separate him self from truth. It should be apparent now that this utility has dispelled **all** of Mr. Smith's past prevarications (see response to original formal complaint). While the first paragraph deals with Sheila Stoeller's willingness to assist Mr. Smith, the next 3 pages deals with the lies and deceit exhibited by Mr. Smith in a 1 page complaint. Mr. Smith went so far as to, thoughtfully, include proof dispelling his prevarications. Mr. Smith is now, in my opinion, willfully ignoring ALJ orders to provide BVWC with a new, amended complaint in a desperate attempt to restrict, or not allow at all, a response by this utility.

**Mr. Smith and I (BVWC) were directed by the ALJ, at least twice, to provide documents to one another by the dates stated.**

It is Mr. Smith's responsibility to pay attention to ALJ orders and comply. These were the **only** orders given to each of us by the ALJ and were clearly communicated on at least two occasions. Certainly not too much to remember.

Any claim of ignorance by Mr. Smith as to ALJ orders should not be entertained.

Because of Mr. Smith's failure to comply with the ALJ, and his failure to provide credible evidence to support his case, either now or in the past, BVWC is requesting this matter be dismissed. BVWC is also requesting Mr. Smith be ordered to pay his past due account.

Regards,

M. Davoren  
BVWC

11 copies to docket control  
(1) Copy to Albert Smith via controlled mail (cert. or registered)

Arizona Corporation Commission  
DOCKETED

FEB 17 2012

DOCKETED BY