

ORIGINAL



0000135306

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

2012 MAR 21 P 12:48

AZ CORP COMMISSION
DOCKET CONTROL

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
AFFIDAVIT 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 MARTIN'S TRUCKING SERVICE and to give further notice by Affidavit of Attempted Service of Process on PAYSON WATER CO. INC./BROOKE UTILITIES INC.

Respectfully submitted this 20th day of March, 2012.

Arizona Corporation Commission
DOCKETED

MAR 21 2012

DOCKETED BY

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 20th day March, 2012 to:

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

Copies of the foregoing were mailed this 20th day March, 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: JSG

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

11 **Complainants,**

12 vs.

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

15 **Respondents.**

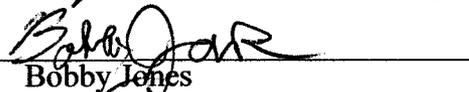
DOCKET NO. W-03514A-12-0008

**APPLICATION FOR ADMINISTRATIVE
SUBPOENA DUCES TECUM**

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

20 DATED this 9th day of March, 2012.

21 
22 J. Stephen Gehring

23 
24 Bobby Jones

25 
26 Lois Jones

27 8157 W. Deadeye Rd.
28 Payson, Arizona 85541
Telephone: (928) 474-9859
FAX: (928) 474-9799
E-mail: stonemason9859@yahoo.com

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

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3 GARY PIERCE- Chairman
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5 SANDRA D. KENNEDY
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8 IN THE MATTER OF

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

15 **Respondents.**

DOCKET NO. W-03514A-12-0008

**ADMINISTRATIVE
SUBPOENA DUCES TECUM**

16 **TO: Martin**
17 **Martin's Trucking Service**
18 325 S. Golden Meadows
19 Williams, Arizona 86046
20 (928) 607-7089

21 YOU ARE HEREBY COMMANDED, pursuant to A.R.S. §§ 40-241, 40-244, A.A.C. R14-3-
22 109 and Ariz. R. Civ. P. 30 and 45 to produce and provide copy no later than Ten Days (10) after
23 receipt of the Subpoena the following documentation to the Complainants; J. Stephen Gehring,
24 Bobby Jones and Lois Jones; at 8157 W. Deadeye Rd., Payson, Arizona 85541 in connection with the
25 administrative proceedings in the above-captioned action and as follows:

- 26 1. Un-edited and un-altered any and all copies of the Books, papers, documents or other tangible
27 things, Accounts, Water Hauling Invoices, Bills of Lading, Waybills, and other documents
28 submitted to Payson Water Co. Inc./Brooke Utilities Inc. by Pearson Water and/or 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, Bills of Lading, Waybills and other documents associated therewith
and described herein, including but not limited to the following:

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

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

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

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

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

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

13 g. Any and all Invoice alleged for the period 8/4/11 to 8/5/11 and the period 8/11/11 to
14 8/12/11 and any Trucking Contractor records associated with these invoices;

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

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

22 3. The exact Mailing address and Telephone number of Pearson Water in Williams, Arizona.

23 YOU HAVE BEEN SUBPOENED BY:

24 J. Stephen Gehring
25 Bobby Jones
26 Lois Jones
27 8157 W. Deadeye Rd.
28 Payson, Arizona 85541
Telephone: (928) 474-9859

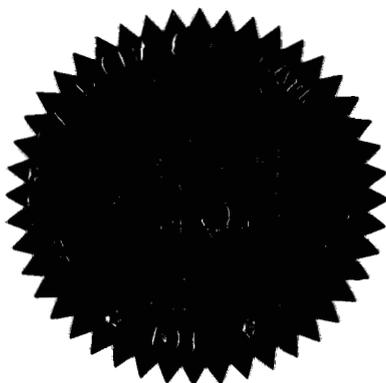
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27 Persons with a disability may request a reasonable accommodation such as a sign language
28 interpreter, as well as request this document in an alternative format, by contacting Shaylin A. Bernal,
Executive Assistant to the Executive Director, voice 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.

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

Given under by hand the seal of the Arizona Corporation Commission this 9th day of MARCH, 2012.



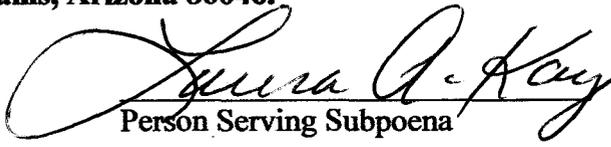

Ernest G. Johnson, Executive Director
Arizona Corporation Commission

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.

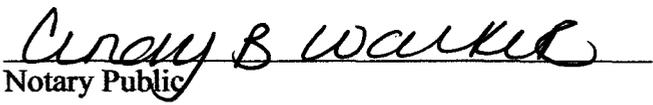
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CERTIFICATE OF SERVICE

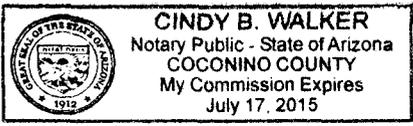
The undersigned swears (or affirms) that he is qualified to serve this subpoena and that he did so by showing the original to and informing the witness of its contents and by delivering a copy thereof to him at 4:09 a.m./p.m. on MARCH 16th, 2012 **MARTIN'S TRUCKING SERVICE, 325 S. Golden Meadows; Williams, Arizona 86046.**


Person Serving Subpoena

Subscribed and sworn to before me on march 16 _____, 2012


Notary Public

JULY 17, 2015
My Commission Expires



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.

J. Stephen Gehring
8157 W. Deadeye Rd.
Payson, Arizona 85541
Telephone: (928) 474-9859

AFFIDAVIT

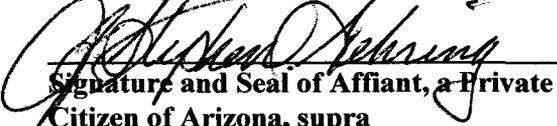
State of Arizona)
) **Subscribed Sworn Sealed**
County of Gila)

Now comes J. Stephen Gehring, a Private Citizen of Arizona, proceeding in Propria Persona, Sui Juris et de jure, summo jure jus regium and “without prejudice” to any of My unalienable Rights; that I do hereby solemnly affirm under oath that I am the Affiant stated herein, having personal knowledge of the facts herein stated, and now deposes and says:

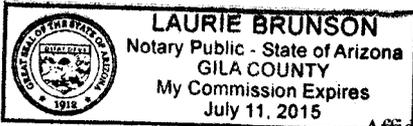
- 1) That I am over the age of 18 years and not a party to Mr. J. Alan Smith’s Complaint before the Arizona Corporation Commission and am qualified under the laws of the State of Arizona to serve a subpoena; and further,
- 2) That I attempted to do so by showing the original Subpoena Duces Tecum and offering a copy thereof to Mr. Robert T. Hardcastle and informing him of its contents on March 9th at 11:15 a.m.; and further,
- 3) That on March 9th, 2012 upon attempting Service of Process with a Subpoena Duces Tecum for Mr. J. Alan Smith, Mr. Hardcastle refused service of that Subpoena Duces Tecum and demanded that he be served with process by some other means; and further,
- 4) That agents of Payson Water Co. Inc./Brooke Utilities have avoided Service of Process by the Constable for J. Stephen Gehring, and Bobby and Lois Jones at the Payson Water Co. Inc./Brooke Utilities Office located at 1011 S. Stover Rd. in Payson since March 14th 2012.

Further, Affiant Sayeth Naught.

Signed and Sworn to with reservation of all My Unalienable Rights

 seal 3/19/12
Signature and Seal of Affiant, a Private Date of Signature
Citizen of Arizona, supra

Subscribed and sworn to before me, a Notary Public, this 19 day of March, 2012.

Seal of Notary:  
Signature of Notary

GILA COUNTY
PAYSON REGIONAL CONSTABLE
COLT WHITE
108 W. MAIN ST.
PAYSON, AZ 85541

RECEIPT

DATE <u>3/14/12</u>		No. <u>748508</u>	
RECEIVED FROM <u>Stephen Gehring</u>		DOLLARS <u>\$ 400-</u>	
<u>Party + no lvs</u>			
<u>Debit # W-03514A-12-0008</u>		<u>Robert Handcastle</u>	
<u>FOR</u>		<u>Brookline Utilities</u>	
<input type="radio"/> FOR RENT	FROM _____ TO _____		
ACCOUNT	<u>40 -</u>	<input checked="" type="radio"/> CASH	
PAYMENT	<u>40 -</u>	<input type="radio"/> MONEY ORDER	
BAL. DUE	<u>0 -</u>	<input type="radio"/> CHECK	
BY <u>[Signature]</u>		<input type="radio"/> CREDIT CARD	

