

ORIGINAL



0000135565

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

DOCKETED

COMMISSIONERS

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

2012 APR -2 A 9:46

APR - 2 2012

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY [Signature]

IN THE MATTER OF THE COMPLAINT OF
KENNETH LUTTRELL,

DOCKET NO. W-02479A-08-0034

COMPLAINANT,

vs.

LORD ARIZONA WATER SYSTEMS, INC.,

RESPONDENT.

PROCEDURAL ORDER

BY THE COMMISSION:

On January 15, 2008, Kenneth Luttrell ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Complaint ("Complaint") against Lord Arizona Water Systems, Inc. ("Respondent"), which filed its Answer on February 5, 2008.

On March 28, 2008, a Pre-Hearing Conference was held, during which the parties agreed to enter into discussions about the resolution of the Complaint.

On May 22, 2008, a Status Conference was held, during which the parties related that a bench trial on the parties' civil matter had been set before Apache County Superior Court Judge Roca for September 11, 2008. The parties agreed to set this matter for a Status Conference after the trial's completion.

On October 7, 2008, a Status Conference was held, during which the parties indicated that the September 11, 2008, trial had been vacated and a status conference is scheduled before Judge Roca in November. As such, the parties requested that a status conference be set after that time.

On January 21, 2009, a Status Conference was held, during which the parties discussed the status of the Complaint and agreed that the Complainant should file a Status Report with the Commission, or, if the issues underlying the Complaint have been resolved, then the Complainant shall file a Motion to Withdraw Complaint.

1 On December 21, 2009, the Complainant filed a Request for Status Conference and, pursuant
2 to a Procedural Order filed December 23, 2009, a Status Conference was held on January 28, 2010.
3 During the Status Conference, the parties indicated that the matter was tentatively resolved pending
4 Commission approval of an executed main extension agreement. The parties stated that once that
5 was received, they anticipated filing a motion to dismiss the Complaint.

6 As of the date of this Procedural Order, no other documents have been filed. Accordingly, the
7 Complainant should file with the Commission either a status update or a Motion to Dismiss the
8 Complaint.

9 IT IS THEREFORE ORDERED that **the Complaint shall file either a Status Update or a**
10 **Motion to Dismiss the Complaint with the Commission no later than April 27, 2012.**

11 DATED this 30th day of March, 2012.


BELINDA A. MARTIN
ADMINISTRATIVE LAW JUDGE

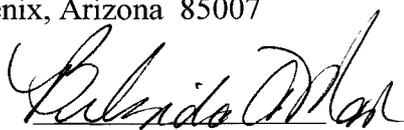
12
13
14 Copies of the foregoing mailed
15 this 30th day of March, 2012, to:

16 Michael Blair, Esq.
17 BLAIR, WILLIAMS & GREER
6225 North 24th Street, Suite 125
Phoenix, Arizona 85016

18 Douglas E. Brown, Esq.
19 BROWN & BROWN LAW OFFICES, P.C.
20 P.O. Box 489
Eagar, Arizona 85925

21 Janice Alward, Chief Counsel
22 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

23 Steven M. Olea, Director
24 Utilities Division
ARIZONA CORPORATION COMMISSION
25 1200 West Washington
Phoenix, Arizona 85007

26
27 By: 
28 Belinda A. Martin