

ORIGINAL



0000135707

**BEFORE THE CORPORATION COMMISSION**

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

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL

2012 APR 6 PM 1 28

JOHN E. DOUGHERTY  
COMPLAINANT  
V.  
MONTEZUMA RIMROCK WATER  
COMPANUY, LLC.  
RESPONDENT

Docket No. W-04254A-11-0323

**Motion to Reschedule April 13 Hearing**

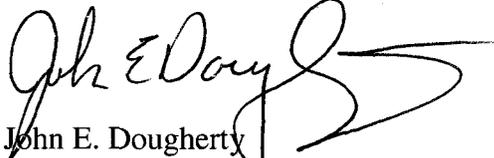
BY THE INTERVENER:

Due to an unforeseen serious medical situation involving a family member in Virginia, Intervener respectfully requests the Commission to reschedule the pending April 13, 2012 procedural conference. Intervener is flying to Virginia on Monday, April 9 and expects to be in Virginia for approximately 10 days. Intervener then has business travel until approximately April 25.

Intervener will be available to participate in the procedural conference by telephone, if necessary. However, given the complexity of the issues at hand, Intervener believes that personal attendance at the conference is essential.

Intervener sent a March 22 email to Mr. Wiley attempting to resolve some of the Discovery issues and setting out additional documents sought. Intervener has not received a response as of this date.

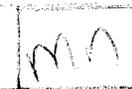
Dated this 6th Day of April, 2012

  
John E. Dougherty  
Intervener

Arizona Corporation Commission

**DOCKETED**

APR - 6 2012

DOCKETED BY 

Copies of the foregoing mailed  
This 6th day of April, 2012 to:

Douglas C. Fitzpatrick  
LAW OFFICE OF DOUGLAS C. FITZPATRICK  
49 Bell Rock Plaza  
Sedona, AZ 86351

Patricia D. Olsen, Manager  
MONTEZUMA RIMROCK WATER COMPANY, LLC  
P.O. Box 10  
Rimrock, AZ 86335

Mr. Todd Wiley  
Fennemore Craig, P.C.  
3003 N. Central Ave.  
Suite 2600  
Phoenix, AZ 85012



# Thank you for your purchase!

Phoenix, AZ - PHX to Washington (Dulles), DC - IAD

<b>Air</b>
<b>Confirmation #I28U8U</b>
<b>Phoenix, AZ - PHX to Washington (Dulles), DC - IAD</b> Monday, April 9, 2012
<b>Air Total: \$444.60</b>

**Amount Paid**  
**\$444.60**

**Trip Total**  
**\$444.60**

**APR 9**  
**MON**     **04/09/12 - Washington D.C.**

**AIR**

**Phoenix, AZ - PHX to Washington (Dulles), DC - IAD**  
04/09/2012  
**Confirmation # I28U8U**

**Adult Passenger(s)**  
JOHN DOUGHERTY III  
Subscribe to Flight Status Messaging

**Rapid Rewards #**  
00000057757803

<b>DEPART</b> <b>APR 9</b> <b>MON</b>	<b>02:45 PM</b> Phoenix, AZ (PHX) to 08:05 PM Arrive in Chicago (Midway), IL (MDW)	<b>Flight #627</b>	<b>Monday, April 9, 2012</b> Travel Time 5 h 40 m (1 stop, includes 1 plane change)
	08:45 PM Change ✈️ in Chicago (Midway), IL (MDW)	<b>Flight #3026</b>	
	<b>11:25 PM</b> Washington (Dulles), DC (IAD)		

**PRICE: ADULT**

Trip	Routing	Fare Type   View Fare Rules	Fare Details	Quantity	Total
Depart	PHX-MDW-IAD	<b>Wanna Get Away</b> Excellent Value	<ul style="list-style-type: none"> <li>No Change Fees (applicable fare difference applies)</li> <li>Reusable Funds (nontransferable - no name changes allowed)</li> <li>Nonrefundable</li> </ul>	1	\$444.60

Enroll in Rapid Rewards and earn at least 2538 Points per person for this trip. Already a Member? Log in to ensure you are getting the points you deserve.

**Subtotal**     **\$444.60**  
**Fare Breakdown**

Carry-on Items: 1 bag + 1 small personal item are free, see full details.  
Checked Items: First and second bags are free, size and weight limits apply.     Bag Charge     \$0.00

**Air Total:**  
**\$444.60**

**Gov't taxes & fees now included**

**Purchaser Name** John Dougherty

**Billing Address** PO Box 501  
Rimrock, AZ 86335

<b>Form of Payment</b>				<b>Amount Applied</b>
Visa - XXXXXXXXXXXX-6053				<b>\$233.80</b>
Travel Funds - I28U8U - 2194	<b>Original Balance</b>	<b>Applied</b>	<b>Remaining</b>	<b>\$210.80</b>
	\$210.80	\$210.80	\$0.00	
				<b>Amount Paid</b>
				<b>\$444.60</b>
				<b>Trip Total</b>
				<b>\$444.60</b>

John Dougherty <jd.investigativemedia@gmail.com>

 **Discovery dispute**  
1 message

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**John Dougherty** <jd.investigativemedia@gmail.com>

Thu, Mar 22, 2012 at 4:42 PM

To: "WILEY, TODD" <TWILEY@fclaw.com>

Cc: Doug Fitzpatrick <fitzlaw@sedona.net>, Charles Hains <CHains@azcc.gov>, solea@azcc.gov

Mr. Wiley, Please see the attachments in regards to my Third Data Request that is the subject of the March 13, 2012 Procedural Order in Docket W-04254A-11-0323.

Thank you,

John Dougherty  
InvestigativeMedia.com  
602-710-4089

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**2 attachments**

 **fololet3rddatrequest32212.doc**  
54K

 **thirddaterequest.doc**  
42K

March 22, 2012

Mr. Todd C. Wiley  
Fennemore Craig, PC  
3003 N. Central Ave.  
Suite 2600  
Phoenix, AZ 85012

**RE: Third Data Request, Montezuma Rimrock Water Company, W-04254A-11-0323**

Dear Mr. Wiley:

In compliance with the Procedural Order issued in this matter on March 13, 2012, I offer the following changes to my Third Data Request dated January 4, 2012:

I withdraw the Data Request for the following records:

**1.39—MRWC Corporate Records:** All minutes, resolutions, documentation of annual meetings and all other corporate records of Montezuma Rimrock Water Company, LLC from January 1, 2005 through January 4, 2012.

**1.40—GEcom Lease:** All documentation, including bank records, income tax returns, and the company's and/or Ms. Patricia Olsen's application submitted to GEcom and/or Odyssey Equipment Financing Company to lease arsenic treatment equipment and auxiliary facilities.

**1.41—GEcom/Odyssey Emails:** All emails and written communications between MRWC and GEcom/Odyssey from November 21, 2011 through January 4, 2012.

I continue to seek the following records:

**1.38—MRWC Billing Statements:** Please provide copies of MRWC's monthly billing statements to all customers for November 2011. Please include all records related to prorated refunds to customers for meter deposits.

I hereby formally request the expansion of the time frame for the following records:

**1.42—American Express Credit Card:** Monthly credit card statements for the account ending in 5-71003 from January 1, 2011 through December 30, 2011.

*I formally request the above credit card statements for January and February 2012 and respectfully request that the March 2012 statement be provided prior the April 13 Procedural Conference.*

**1.43--Bank Statements:** The Company's bank statements for its five business accounts at National Bank of Arizona for the months of October, November and December 2011.

*I formally request the above bank statements for January and February 2012 and respectfully request that the March 2012 bank statements be provided prior to the April 13, 2012 Procedural Conference.*

Please contact me via email or directly at 602-710-4089 if you have any questions concerning this matter.

Sincerely,

John E. Dougherty

PO Box 501  
Rimrock, AZ 86335  
[Jd.investigativemedia@gmail.com](mailto:Jd.investigativemedia@gmail.com)

Cc: Charles Hains  
Steve Olea  
Douglas Fitzpatrick