

ORIGINAL



J. Alan Smith, Private Citizen
8166 Barranca Rd.
Payson, Arizona 85541
(928) 302-8341 Hm.
(928) 951-2083 Wk.
In Propria Persona

RECEIVED

2012 AUG -1 A 10: 56

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Before the Arizona Corporation Commission Arizona Corporation Commission

DOCKETED

AUG 01 2012

DOCKETED BY *JM*

COMMISSIONERS

Gary Pierce, Chairman
Paul Newman, Commissioner
Brenda Burns, Commissioner
Bob Stump, Commissioner
Sandra D. Kennedy, Commissioner

J. Alan Smith, Injured Party
Complainant,

vs.

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

DOCKET NO. W-03514A-12-0007

NOTICE OF SERVICE OF PROCESS
SUBPOENAS ON JIM PEARSON
AND PEARSON WATER CO.

NOW COMES, the Complainants J. Alan Smith, to give Notice of the Service of Process of Two (2) Subpoenas on Jim Pearson and Pearson Water Co.

Respectfully submitted this 30th day of July, 2012

J. Alan Smith

J. Alan Smith, in Propria Persona

CERTIFICATE OF SERVICE

The Original and 13 copies of the foregoing were mailed this 30th day July, 2012 to:

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

Copies of the foregoing were mailed this 30th day July, 2012 to the following:

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

By: J.A.S.

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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. Alan Smith
Private Citizen, injured party,

Complainant,

vs.

PAYSON WATER CO. INC./BROOKE
UTILITIES INC.

Respondents.

DOCKET NO. W-03514A-12-0007

**APPLICATION FOR ADMINISTRATIVE
SUBPOENA DUCES TECUM**

Complainant J. Alan Smith requests the issuance of a subpoena duces tecum to **Jim Pearson, 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 16th day of July, 2012.



J. Alan Smith
8166 Barranca Road
Payson, Arizona 85541
Telephone: (928) 951-2083

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BRENDA BURNS

IN THE MATTER OF

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Complainants,

vs.

PAYSON WATER CO. INC./BROOKE
UTILITIES INC.

Respondents.

DOCKET NO. W-03514A-12-0007

**ADMINISTRATIVE
SUBPOENA DUCES TECUM**

**TO: JIM PEARSON
PEARSON TRANSPORT/PEARSON WATER
P.O. Box 193
1120 Rodeo Rd.
Williams, Arizona 86046
(928) 635-4220; (928) 853-4755**

YOU ARE HEREBY COMMANDED, pursuant to A.R.S. §§ 40-241, 40-244, A.A.C. R14-3-109 and Ariz. R. Civ. P. 30 and 45 to appear and testify under oath in connection with the administrative hearing in the above-captioned action.

BEFORE WHOM APPEARANCE TO BE MADE: Arizona Corporation Commission

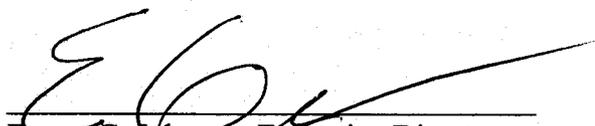
DATE AND TIME OF APPEARANCE: August 7, 2012 at 10:00 a. m.

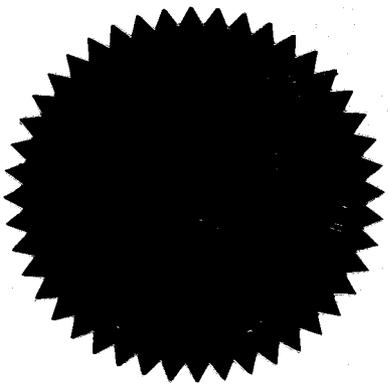
PLACE OF APPEARANCE: The offices of the Commission, Hearing Room No. 1, 1200 West Washington St., Phoenix, Arizona 85007

YOU ARE COMMANDED to appear and give testimony concerning: Your Companies activities and those of yourself and your employees or subcontractors during the Augmentation Period of May 2011 to October 2011 while hauling water to Augment the Mesa del Caballo Water System and other Water Systems owned and operated by Brooke Utilities, Inc. or Payson Water Co. Inc.

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Given under by hand the seal of the Arizona Corporation Commission this 19th day
of July, 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/she is qualified to serve this subpoena and that he/she did so by showing the original to and informing the witness of its contents and by delivering a copy thereof to him at 7:36 a.m./p.m. on July 25, 2012 **PEARSON WATER CO.;** at **1120 Rodeo Rd. Williams, Arizona 86046.**

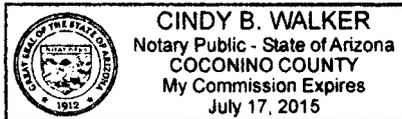
#W-035144-12-0007

Debi Waskobojnik
Person Serving Subpoena
Debi Waskobojnik

Subscribed and sworn to before me on July 26, 2012

Cindy B Walker
Notary Public

July 17, 2015
My Commission Expires



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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

DOCKET NO. W-03514A-12-0007

J. Alan Smith
Private Citizen, injured party,

Complainant,

**APPLICATION FOR ADMINISTRATIVE
SUBPOENA DUCES TECUM**

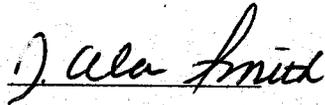
vs.

PAYSON WATER CO. INC./BROOKE
UTILITIES INC.

Respondents.

Complainant J. Alan Smith requests the issuance of a subpoena duces tecum to **Jim Pearson, 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 16th day of July, 2012.



J. Alan Smith
8166 Barranca Road
Payson, Arizona 85541
Telephone: (928) 951-2083

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BEFORE THE ARIZONA CORPORATION COMMISSION

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BOB STUMP
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IN THE MATTER OF

J. Alan Smith
Private Citizen, injured party,

Complainants,
vs.

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DOCKET NO. W-03514A-12-0007

**ADMINISTRATIVE
SUBPOENA DUCES TECUM**

**TO: JIM PEARSON
PEARSON TRANSPORT/PEARSON WATER
P.O. Box 193
1120 Rodeo Rd.
Williams, Arizona 86046
(928) 635-4220; (928) 853-4755**

YOU ARE HEREBY COMMANDED, pursuant to A.R.S. §§ 40-241, 40-244, A.A.C. R14-3-109 and Ariz. R. Civ. P. 30 and 45 to appear at the **Hearing scheduled for August 7, 2012 at 10:00 a. m.** at the offices of the Commission, Hearing Room No. 1, 1200 West Washington St., Phoenix, Arizona 85007 and to produce and provide no later than Ten Days (10) after receipt of this Subpoena copies of the following documentation to the Complainant; J. Alan Smith; 8166 Barranca Road; Payson, Arizona 85541 in connection with the administrative proceedings in the above captioned action and as follows:

1. 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 unedited and un-altered that have been billed to Brooke Utilities, Inc. and Payson Water Co. Inc. P. O. Box 8218; Bakersfield, CA 93380 according to Invoices issued by **Pearson Water Co.** for the hauling of water to the Water Systems of Mesa del Caballo, East Verde Park and any

1 other Water System owned and operated by Payson Water Co. during Water Augmentation
2 period May 1, 2011 through October 31, 2011 inclusive of those billing periods and all those
3 Water Hauling Invoices, Water Hauling Logs, Bills of Lading, Waybills and other documents
4 associated therewith and described herein, including but not limited to the following:

- 5 a. Invoice Numbers 8803, 8804, 8805, 8806, 8807, 8808, 8809, 8810, 8811, 8812, 8813,
6 8814, 8815, 8816, 8817, 8818, 8819, 8820, 8821, 8822, 8823, 8824 and 8825 and any and
7 all of the BUI HAULING LOGS and your records associated with these invoices. They
8 shall be copies of the originals un-altered and un-edited in any way;
- 9 b. Copy of any contract between Pearson Water Co. and Payson Water Co. or Brooke
10 Utilities Inc. to haul water from any location to any other location and particularly from
11 any location to any of the Water Systems owned and operated by Payson Water Co.
- 12 c. Disclose the locations of where any amount of water was acquired and hauled from
13 whether it was the Town of Payson or any other source to the East Verde Park Water
14 System or any other location during the Augmentation Period of May 2011 to October
15 2011;

14 **YOU HAVE BEEN SUBPOENED BY:** J. Alan Smith

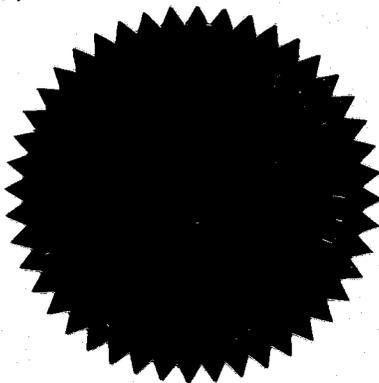
8166 Barranca Rd.

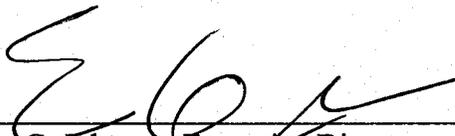
Payson, Arizona 85541

Telephone: (928) 951-2083

17 **DISOBEDIENCE OF THIS SUBPOENA** constitutes contempt of the Arizona Corporation
18 Commission and may subject you to further proceedings and penalties under law, pursuant to A.R.S.
19 § 40-424.

20 Given under by hand the seal of the Arizona Corporation Commission this, 19th day
21 of July, 2012.



22 
23 Ernest G. Johnson, Executive Director
24 Arizona Corporation Commission

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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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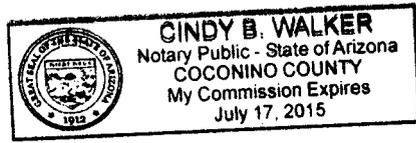
#W-03514A-12-0007

Debi Waskobojnik
Person Serving Subpoena
Debi Waskobojnik

Subscribed and sworn to before me on July 26, 2012

Cindy B Walker
Notary Public

July 17 2015
My Commission Expires



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