

ORIGINAL



TOM HORNE
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
PUBLIC ADVOCACY & CIVIL RIGHTS DIVISION
CONSUMER PROTECTION & ADVOCACY SECTION

JOHN FOREMAN
ASSISTANT ATTORNEY GENERAL
DIRECT PHONE No. (602) 542-7902
JOHN.FOREMAN@AZAG.GOV

August 21, 2012

Roger Chantel
10001 E. Highway 66
Kingman, AZ 86401

Re: Letter dated August 1, 2012

Dear Mr. Chantel:

Arizona Corporation Commission
DOCKETED
AUG 21 2012

DOCKETED BY *JM*

ARIZONA CORPORATION
COMMISSION
DOCKET CONTROL

2012 AUG 21 P 1:46

RECEIVED

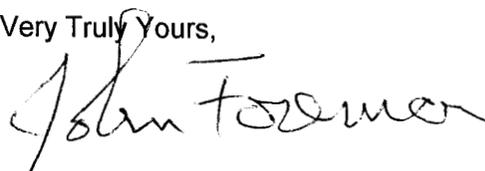
I have been asked to respond to your letter dated August 1, 2012, in which you asked the Arizona Attorney General's Office "to investigate the Arizona Corporation Commission's mandatory responsibility to enforce" Arizona Administrative Code R14-2-202B and other unspecified "rules, regulations and laws." You also requested "under the Freedom Information Act" "a copy of any communication and the personnel involved in the communication and the subject matter." I have reviewed your letter and the materials you sent with it. I have also reviewed materials relating to the complaint that you have pending before the Arizona Corporation Commission [ACC] in their Docket Control file #E-01750A-09-0149, and I have spoken to members of the staff of the ACC about your complaint.

Your letter does not specify what legal authority the Arizona Attorney General's Office would have to investigate the ACC and I have been able to find no legal basis for conducting a formal investigation of the ACC based upon the materials you sent me and my own informal investigation. The enforcement of the ACC's power concerning the abandonment of utility service is within their discretion. The Attorney General's Office does not have the power to investigate other state agencies who exercise discretionary power granted to them by law even if someone disagrees with the manner in which the other agency exercises their discretion. You presently have pending a legal action relating to the matter that caused your original complaint. According to the information in your most recent quarterly status update, you have filed an appeal in the Court of Appeals of an adverse ruling in that case.

Although Arizona does not have a "Freedom Information Act" it does have a Public Records Act. A.R.S. § 39-101 et seq. The only written communication relating to your letter is this response. Consider this letter also to be this office's response to your request for public records relating to your letter.

Roger Chantel
August 21, 2012
Page 2

Very Truly Yours,



John Foreman
Assistant Attorney General

JF/pcm

#2833791v2