

ORIGINAL



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1 Roger and Darlene Chantel
2 10001 E. Hwy. 66
3 Kingman, AZ 86401

RECEIVED

2013 SEP 16 A 11: 54

Arizona Corporation Commission

4 BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

5 AZ CORP COMMISSION
6 DOCKET CONTROL

SEP 16 2013

7 Commissioners
8 BOB STUMP, CHAIRMAN
9 GARY PIERCE,
10 BRENDA BURNS
11 BOB BURNS
12 SUSAN BITTER SMITH

DOCKETED BY
nr

Docket No. E-01750A-09-0149

13 IN THE MATTER OF THE FORMAL
14 COMPLAINT OF ROGER AND DARLENE
15 CHANTEL
16
17 COMPLAINANTS,
18
19 MOHAVE ELECTRIC COOPERATIVE
20 INC.
21
22 RESPONDENT.

MOTION TO HEAR ISSUES ON THE
EMERGENCY NOTICE OF ACTION
SUBMITTED TO STEVEN OLEA OF THE
ARIZONA CORPORATION COMMISSION

23 Administrative Law Judge, Belinda A. Martin, has ordered a
24 hearing for September 25, 2013 in Hearing Room No. 1.

25 Complainants are requesting this Motion to Hear Issues on the
26 Emergency Notice of Action be heard at this hearing and all
27 other issues be postponed until the inspection has been
28 completed.

29 This is a motion on including the EMERGENCY NOTICE OF
30 ACTION that was given to Steven Olea. "Exhibit A"

31 There are two issues in this EMERGENCY NOTICE OF ACTION. The
32 first issue is as follows:

One falls within the legal area of **R14-2-211 A 5 a & b.**

R14-2-211 A 5 "A utility shall not terminate residential
service where the customer has inability to pay." Mohave
Electric Cooperative claims that the claimants must pay
the bill in full, which is approximately \$200,000 before

1 they will hook up claimants' electricity. The claimants
2 do not have the ability to pay. **R14-2-211 5 (a)** "The
3 customer can establish through medical documentation
4 that, in the opinion of a licensed medical physician,
5 termination would be especially dangerous to the health
6 of a customer or a permanent resident residing on the
7 customer's premises, or **R14-2-211 5(b)** "Life supporting
8 equipment used in the home that is dependent on utility
9 service for operation of such apparatus." The
10 complainants have submitted professional medical
11 documentation to the Administrative Law Judge that it is
12 a medical need to have complainants' electricity
13 reinstated. The complainants ask this Administrative Law
14 Judge to issue judicial orders that are on file with
15 this jurisdiction.

16 The second issue in this EMERGENCY NOTICE OF ACTION is the
17 compliance with **R14-2-202 B** "Application for Discontinuance or
18 Abandonment of Utility Service."

19 **R14-2-202 B 1** "Any utility proposing to discontinue or
20 abandon utility service currently in use by the public
21 shall prior to such action obtain authority therefore
22 from the Commission."

23 **R14-2-202 B 2** "The utility shall include in the
24 application, studies of past, present and prospective
25 customer use of the subject service, plant, or facility
26 as is necessary to support the application."

27 Mohave Electric Cooperative has failed in its duties of service
28 to its customers that it serves by failing to comply with **R14-2-**
29 **202 B 1 & 2**. It now becomes this Administrative Law Judge's duty
30 to issue the order on file in this administrative office.

1 The Complainants, as well as many of the citizens of the
2 State of Arizona, pray that the administrators of this
3 government agency move forward by issuing the judicial order on
4 file in this office.

5 Dated this 13th day of September, 2013

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11 Proof of and Certificate of Mailing

12
13 I hereby certify that on the 13th day of September, 2013, I caused the foregoing
14 documents to be served on the Arizona Corporation Commission by mailing the original
and (13) copies of the above to:

15 Docket Control
16 Arizona Corporation Commission
1200 West Washington Street
17 Phoenix, AZ 85007

18 Copy of the foregoing mailed this 13th day
19 Of September, 2013 to:

20 Administrative Law Judge Belinda Martin
21 Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

22 Curtis, Goodwin, Sullivan,
23 Udall & Schwab, P.L.C.
501 East Thomas Road
24 Phoenix, AZ 85012

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EXHIBIT "A"

August 13, 2013

EMERGENCY NOTICE OF ACTION

Mohave Electric Cooperative has abandoned a number of poles and lines that are located between mile marker 76 and 77 on Hwy. 66 east of Kingman, AZ. It appears that these poles and lines are not being used nor has any type of maintenance been done on these lines and poles for about five years. One of these poles is leaning to the point that if it breaks it could cause major damage to the wiring in the house in which I reside. I am a disabled veteran and require the need for continuous electricity to power my breathing machine. If I do not have continuous electricity to power my breathing machine I could die. Please understand my persistent efforts to get the issues that are in front of the commission into compliance with the laws. The only way my life can be guaranteed is if all of these laws are strictly adhered to.

I am asking you, and whoever is responsible for issuing orders, to protect the general safety of the citizens and issue an order, under Arizona Administrative Code R14-2-202 B 1 and 2, to Mohave Electric Cooperative to file an Application for Discontinuance or Abandonment.

I, Roger Chantel, am giving you notice that I have a medical need for continuous electricity. My request falls in the described law known as Arizona Administrative Code R14-2-211 A 5 and 6. I am requesting that you give notice to Mohave Electric Cooperative to re-instate the electric service to 10001 E. Hwy 66, Kingman, AZ.

If you would be so kind, please supply a copy of the orders or any communication that you or your staff may have with Mohave Electric Cooperative.

Respectfully submitted,



Roger Chantel