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2013 SEP 26 P 4: 45

Arizona Corporation Commission

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AZ CORP COMMISSION  
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SEP 26 2013

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**BEFORE THE ARIZONA CORPORATION COMMISSION**

7 IN THE MATTER OF THE FORMAL  
8 COMPLAINT AGAINST PAYSON WATER  
9 CO., INC. FILED BY J. ALAN SMITH

DOCKET NO: W-03514A-12-0007

**REQUEST TO RESCHEDULE  
PROCEDURAL CONFERENCE**

10 Undersigned Counsel for Payson Water Co., Inc. (the "Company") hereby  
11 respectfully requests that the presiding ALJ reschedule the above-referenced procedural  
12 conference. There are two reasons for this request.

13 First, undersigned counsel has been handling this matter the past 30 days, including  
14 addressing the disputed discovery requests and conducting discovery on behalf of the  
15 Company, but will be out of state October 7, 2013 through October 12, 2013.

16 Second, as of the date of this pleading, counsel for Plaintiff has not responded to  
17 counsel for Staff's efforts to facilitate resolution. The Company is not attempting to  
18 impugn Mr. Harper, but is merely pointing out that the parties are going to need additional  
19 time to undertake the efforts at resolution ordered by Judge Nodes.

20 Accordingly, the Company and undersigned counsel ask that the procedural  
21 conference currently set for October 7, 2013 be rescheduled to a later date.<sup>1</sup>  
22 The Company has conferred with counsel for Staff and Staff does not object to this  
23 request.

24  
25 <sup>1</sup> In order to avoid a second scheduling conflict, undersigned counsel is also unavailable  
26 October 18-23 and October 25, 2013.



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