

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

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BOB STUMP-Chairman  
GARY PIERCE  
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SUSAN BITTER SMITH

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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**  
NOV 19 2013

DOCKETED BY 

**IN THE MATTER OF THE FORMAL  
COMPLAINT OF SWING FIRST GOLF  
LLC AGAINST JOHNSON UTILITIES  
L.L.C.**

**DOCKET NO. WS-02987A-13-0053  
RESPONSE IN SUPPORT OF MOTION  
TO DISMISS COMPLAINT WITH  
PREJUDICE**

**Brownstein Hyatt Farber Schreck, LLP**  
One East Washington, Suite 2400  
Phoenix, AZ 85004

On November 15, 2013, Swing First Golf LLC (“SFG”) filed a Notice of Settlement and Motion to Dismiss Complaint with Prejudice. In its pleading, SFG notified the Arizona Corporation Commission that SFG and Johnson Utilities LLC (“Johnson Utilities” or the “Company”) have settled all of their outstanding issues in the above-captioned docket, and SFG moved to dismiss its formal complaint with prejudice. Johnson Utilities concurs that the parties have settled all outstanding issues in this docket, subject to the terms and conditions of a signed settlement and mutual release agreement between the parties, and the Company supports SFG’s Motion to Dismiss Complaint with Prejudice.

RESPECTFULLY submitted this 19<sup>th</sup> day of November, 2013.

BROWNSTEIN HYATT FARBER SCHRECK LLP

Jeffrey W. Crockett, Esq.  
One East Washington Street, Suite 2400  
Phoenix, Arizona 85004  
Attorneys for Johnson Utilities, LLC

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1 ORIGINAL and thirteen (13) copies of the  
2 foregoing filed this 19<sup>th</sup> day of November, 2013, with:

3 Docket Control  
4 ARIZONA CORPORATION COMMISSION  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 COPY of the foregoing hand-delivered  
8 this 19<sup>th</sup> day of September, 2013, to:

9 Yvette B. Kinsey, Administrative Law Judge  
10 Hearing Division  
11 ARIZONA CORPORATION COMMISSION  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 Janice Alward, Chief Counsel  
15 Legal Division  
16 ARIZONA CORPORATION COMMISSION  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

19 Steve Olea, Director  
20 Utilities Division  
21 ARIZONA CORPORATION COMMISSION  
22 1200 West Washington Street  
23 Phoenix, Arizona 85007

24 COPY of the foregoing sent via first class mail  
25 and e-mail this 19<sup>th</sup> day of November, 2013, to:

26 Craig A. Marks  
27 Craig A. Marks, PLC  
28 10645 N. Tatum Blvd., Suite 200-676  
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E-mail: craig.marks@azbar.org

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