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1 Dustin Roger Chantel and
2 Elizabeth Chantel
3 10001 E. Hwy. 66
4 Kingman, Az. 86401
5 Telephone (928)757-9755
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AZ CORP COMMISSION
DOCKET CONTROL
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

DUSTIN ROGER CHANTEL,
ELIZABETH CHANTEL,

Debtors,

MOHAVE ELECTRIC COOPERATIVE,
and FEDERATED RURAL ELECTRIC
INSURANCE EXCHANGE, INC

Plaintiff,

vs.

DUSTIN ROGER CHANTEL,
ELIZABETH DARLENE CHANTEL,

Defendants.

) In Chapter 7 Proceedings
Case No.: 0:13-BK-11909-EPB
RESPONSE TO Adversary No.
0:13-AP-00977-EPB

DOCKET NO. E-01750A-09-0149

Arizona Corporation Commission
DOCKETED
JAN 21 2014

DOCKETED BY

The Debtors/Defendants, Dustin Roger Chantel and Elizabeth Darlene Chantel hereby respond to Adversary Proceeding 0:13-AP-00977-EPB Subpoena Duces Tecum to:

Chase Bank USA
Attn: Becky A. Kelshaw
7610 W. Washington
IN1-4054
Indianapolis, In 46231

Terry A. Dake has subpoenaed credit accounts from Chase Bank USA and others. The debtors believe that these records will show that the debtors have done nothing wrong. This creditor (Mohave Electric Cooperative, MEC) has not experienced

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2 Elizabeth Chantel
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5 Telephone (928)757-9755

6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **FOR THE DISTRICT OF ARIZONA**

8 DUSTIN ROGER CHANTEL,
9 ELIZABETH CHANTEL,
10 Debtors,

) In Chapter 7 Proceedings
) Case No.: 0:13-BK-11909-EPB
) RESPONSE TO Adversary No.
) 0:13-AP-00977-EPB

11
12 MOHAVE ELECTRIC COOPERATIVE,
13 and FEDERATED RURAL ELECTRIC
14 INSURANCE EXCHANGE, INC

15 Plaintiff,
16 vs.

17
18 DUSTIN ROGER CHANTEL,
19 ELIZABETH DARLENE CHANTEL,
20 Defendants.

21
22 The Debtors/Defendants, Dustin Roger Chantel and Elizabeth
23 Darlene Chantel hereby respond to Adversary Proceeding 0:13-AP-
24 00977-EPB Subpoena Duces Tecum to:

25 Chase Bank USA
26 Attn: Becky A. Kelshaw
27 7610 W. Washington
28 IN1-4054
29 Indianapolis, In 46231

30 Terry A. Dake has subpoenaed credit accounts from
31 Chase Bank USA and others. The debtors believe that these
32 records will show that the debtors have done nothing wrong. This
creditor (Mohave Electric Cooperative, MEC) has not experienced

1 any type of loss and the debtors have not done any type of wrong
2 doing. The records, subpoenaed from Chase Bank USA, will show
3 that the debtors are being paid back some of the inheritance
4 money that was lent to the lessor of the property. The lessor
5 was responsible to provide the electricity used. The debtors
6 believe the information revealed by these subpoenas will support
7 their claims that MEC disconnected the debtors' electricity and
8 debtor, Elizabeth Chantel, had to use her inheritance to have a
9 solar system installed to protect her husband's life. Exhibit
10 "A" is a copy of checks that were paid to the solar company and
11 the battery company for the needed equipment for the solar
12 system. Just the equipment cost was \$76,969.84. There were
13 additional costs of installation. This is a large solar system,
14 but it does not completely supply all of the electricity needed
15 in the heat of the summer. People that have solar systems know
16 that maintenance must be done to the batteries, the wires must
17 be checked, and solar input and output must be monitored. The
18 debtors are getting close to 70 years old and it is just a
19 matter of time before they will not be able to perform the
20 needed duties to maintain this system.

21 Also, what is not clear is if Terry A. Dake is subpoenaing
22 information to support the scheme created by these attorneys or
23 whether he is gathering information to enlighten the court in
24 its motion to remove these attorneys from this bankruptcy case.

25 On December 6, 2013 a telephonic conference was conducted
26 and the conference was recorded. Debtors requested a copy of the
27 recording over a month ago from Terry A. Dake and as of this
28 date have not received the requested copy.

29 **MOHAVE ELECTRIC COOPERATIVE DOES**
30 **NOT HAVE MERIT IN THIS COURT**

31 MEC makes claims to the Chapter 7 Bankruptcy Trustee that
32 the debtors are defrauding the creditor. MEC's attorneys used
their position as attorneys to request the US Bankruptcy Trustee

1 to create an investigation to support their claims that the
2 debtors had performed some kind of fraud. It appears that they
3 are trying to get the bankruptcy court to support their scheme
4 to cover up the fact that their client owes a rent bill.

5 MEC's attorneys are very familiar with utility law. They
6 know that most people cannot survive without having electricity
7 to provide water, keep their food from rotting, run lights, run
8 internet, and run phones, as well as a number of other things
9 that need electricity to run on. These attorneys know that the
10 debtor, Dustin Chantel, has Sleep Apnea and needs continuous
11 electricity to operate his breathing machine.

12 These attorneys created a scheme. They knew that the
13 debtors wanted to build a structure on the property. When the
14 debtors used the property by constructing a structure on it the
15 attorneys claimed that a safety violation existed. They claimed
16 that this violation was so extreme, that it merited the
17 disconnection of the debtors' electricity. The reason for the
18 scheme was to force the debtors to pay MEC for moving their
19 lines off of the property, which MEC did not have a right of way
20 on. This scheme is clear and substantiated by the facts that
21 these attorneys have never made any effort to have the debtors'
22 electricity reinstated after it was brought to their attention
23 that the debtor, Dustin Chantel, needs continuous electricity to
24 run his breathing machine at night. Most people can see that
25 these attorneys threatened the life of the debtor by not
26 advising MEC to reinstate the debtors' electricity.

27 Debtors are submitting, as Exhibit "B", a statement showing
28 just some of the attorney costs that they have incurred, which
29 is approximately \$77,000.00. This does not include all other
30 misc. costs incurred, which comes to approximately \$80,000.00.
31 After paying approximately \$77,000.00 to attorneys and five
32 years, going on six years, of litigation, no one has addressed

1 the safety issues, the unsafe abandoned poles and lines that
2 still exist on the property, debtors' electricity has not been
3 reconnected, and MEC has not filed an application with the
4 Arizona Corporation Commission to remove these abandoned poles
5 and lines. To the debtors' knowledge the Arizona Corporation
6 Commission staff has not conducted a safety inspection of the
7 lines and poles in the area.

8 **THE CREDITOR OWES MONEY TO THE DEBTORS**

9 It has been expressed that this bankruptcy is not your
10 average bankruptcy. This bankruptcy is about the injustice and
11 bad faith of the attorneys of the creditor and how they created
12 a scheme to cover up the debt that the creditor owes to the
13 debtors.

14 In 2005 the debtors were considering placing a structure on
15 this property. The utility company, known as Mohave Electric
16 Cooperative (MEC), owned and operated high voltage transmission
17 lines that were on this property. In 2005 the debtors asked MEC
18 to supply them with information as to how wide their right of
19 way was and the exact location of the right of way, so they
20 could make plans for a location of a structure. After about six
21 months of communication with employees of MEC, one stated, "If
22 you want these poles and lines moved you will have to pay to
23 have them moved". The debtors lacked understanding why MEC was
24 so hostile. The debtors decided to spend their own money to find
25 out the location of MEC's right of way. They hired a title
26 company to prepare a report of right of ways on the property.
27 The 16' service right of way that MEC required when they hooked
28 up the debtors' electricity was shown on this report. There was
29 no right of way for the high voltage transmission lines recorded
30 on this property. Debtors hired a licensed surveyor to locate
31 MEC's right of way. The survey revealed the location as being
32 north of the property along with recorded right of ways acquired

1 by MEC from the State of Arizona and The Bureau of Land
2 Management. MEC has recently renewed these right of way
3 contracts attesting that they are inside of their contracted
4 right of way, but the survey clearly shows that they are not
5 inside of their contracted right of way.

6 MEC has a number of lines and poles in this area that do
7 not comply to National Electrical Safety Codes nor codes listed
8 with the Arizona Corporation Commission. The debtors were
9 concerned about these unsafe lines. They suggested that MEC
10 place one pole in the middle of the long spanning lines, which
11 would bring the lines into compliance with the codes and
12 something could have been worked out to give MEC a recorded
13 right of way across this property. Instead of working out some
14 type of peaceful agreement the attorneys for MEC started
15 creating a scheme to cover up the fact that MEC did not have a
16 recorded right of way for their high voltage transmission lines
17 on this property. The scheme was to make claims to the
18 authorities that the structure located on this property, that
19 the debtors constructed, was in violation of National Electrical
20 Safety Codes. They made claims to the authorities that the
21 safety violations were so severe that the only way they could be
22 corrected was to disconnect the debtors' electricity and build a
23 new high voltage transmission line around the property. The
24 scheme really becomes visible when MEC disconnected the
25 electricity from the west end of the property to the east end of
26 the property, which covered the area on which they did not have
27 a right of way. There are facts and pleadings that exist that
28 show the use of procedural law by these professionals to take
29 the general publics' rights to have safe electrical transmission
30 lines and freedoms of having electricity delivered without being
31 discriminated against. This issue has been presented to the
32 Arizona Governor's Office, the Arizona State Secretary's Office

1 and the Arizona Attorney General's Office. The people of the
2 State of Arizona have not seen any attorney or any authority
3 step forward to address the misuse of procedural law. This means
4 that the people in the future will have to decide whether the
5 authority is working for their best interest.

6 The issue of equal justice has now been moved into the
7 bankruptcy court. The creditor claims that they are entitled to
8 the large amount of attorney's fees that they have generated by
9 enacting the scheme against the debtors. These attorneys have
10 brought this scheme to this court by making claims to the
11 Chapter 7 Bankruptcy Trustee that the debtors are defrauding the
12 creditor. The Chapter 7 Bankruptcy Trustee hired an attorney to
13 investigate the claims. This attorney has issued a number of
14 subpoenas for information on the debtors. The creditor's
15 attorneys have pushed their scheme to the US Bankruptcy Trustee
16 by asking this trustee to investigate the creditor's claim that
17 the debtors are defrauding the creditor.

18 The debtors have formally requested that the US Bankruptcy
19 Trustee investigate these attorneys' scheme in relation to 18
20 USC 157. The issue presented to this court is the fees that
21 MEC's attorneys are claiming. To clarify this issue the US
22 Bankruptcy Trustee has to show some equality by subpoenaing the
23 accounts receivable and determine if the amount received from
24 MEC is the same amount they are claiming in this court. In a
25 case like this one the US Bankruptcy Trustee would subpoena the
26 accounts payable to determine if any type of payments were made
27 that might indicate some kind of pay off to other attorneys or
28 professionals. The US Bankruptcy Trustee would hold depositions
29 of all the Board Members of MEC to determine how much they have
30 participated in the scheme that their attorneys have presented
31 to the authorities. If the US Bankruptcy Trustee is willing to
32

Proof of Service and Certificate of Mailing

I hereby certify that on the 10th day of January, 2014, I caused the foregoing documents to be served on the Arizona Corporation Commission by mailing the original and (13) copies to:

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

Copy of the foregoing mailed this 10th day of January, 2014 to:

Janice Alward, Chief Counsel Legal Division
LYN Farmer, Belinda A. Martin, Steven Olea
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

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

Terry A. Dake
11811 North Tatum Blvd.
Suite 3031
Phoenix, AZ 85028-1621

Ilene Lashinsky
230 North First Ave., Suite 204
Phoenix, AZ 85003-1706

U.S. Bankruptcy Court Yuma
325 W. 19th Street, Suite D
Yuma, AZ 85364

Honorable Eddward E. Ballinger Jr.
230 North First Ave Suite 101
Phoenix AZ 85003-1706

William E. Pierce
P.O. Box 429
Chino Valley 86323-0429

Jennifer A. Giaimo
230 North First Ave. Suite 204
Phoenix AZ 85003-1706

Janice K. Brewer
Arizona Governor
Executive Tower
1700 West Washington Street
Phoenix, AZ 85007

Tom Horne
Arizona Attorney General
1275 West Washington Street
Phoenix, AZ 85007-2926

Ken Bennett
Capital Executive Tower 7th floor
1700 West Washington Street
Phoenix AZ 85007-2808

Elizabeth Chantel

EXHIBIT "A"

Compass Bank

CASHIER'S CHECK

40620978

NOTICE TO CUSTOMERS
If this check is lost, misplaced, or stolen, the purchase of an indemnity bond may be required before this check may be replaced.

61-118/620

Remitter ELIZABETH CHANTEL

02/12/2009

PAY TO THE ORDER OF SOUTHEAST MARINE SERVICES LLC \$ \$17,640.00

SEVENTEEN THOUSAND SIX HUNDRED FORTY and 00/100 Dollars

CITY/LOCATION Kingman
(JetForm - CB20560) 10/89

ARIZONA

PURCHASER COPY
NON-NEGOTIABLE

Drawee:
Compass Bank
Birmingham, AL 35233

AUTHORIZED SIGNATURE

Compass Bank

CASHIER'S CHECK

40621157

NOTICE TO CUSTOMERS
If this check is lost, misplaced, or stolen, the purchase of an indemnity bond may be required before this check may be replaced.

61-118/620

Remitter ELIZABETH D CHANTEL

03/09/2009

PAY TO THE ORDER OF AFFORDABLE-SOLAR \$ \$33,552.80

THIRTY THREE THOUSAND FIVE HUNDRED FIFTY TWO and 80/100 Dollars

CITY/LOCATION Kingman
(JetForm - CB20560) 2/09

ARIZONA

PURCHASER COPY
NON-NEGOTIABLE

Drawee:
Compass Bank
Birmingham, AL 35233

AUTHORIZED SIGNATURE

Compass Bank

CASHIER'S CHECK

40621246

NOTICE TO CUSTOMERS
If this check is lost, misplaced, or stolen, the purchase of an indemnity bond may be required before this check may be replaced.

61-118/620

Remitter ELIZABETH CHANTEL

03/23/2009

PAY TO THE ORDER OF AFFORDABLE SOLAR \$ \$25,777.04

TWENTY FIVE THOUSAND SEVEN HUNDRED SEVENTY SEVEN and 04/100 Dollars

CITY/LOCATION Kingman
(JetForm - CB20560) 2/09

ARIZONA

PURCHASER COPY
NON-NEGOTIABLE

Drawee:
Compass Bank
Birmingham, AL 35233

AUTHORIZED SIGNATURE

EXHIBIT "B"

QuickReport by Description
 12/7/05 through 1/6/14

Date	Account	Num	Payee	Memo	Category	Clr	Amount
5/3/08	Amazon		Paypal Utahbiodies		greenhouse		-183.99
6/29/08	Capital One		Paypal Gardianeden				-125.01
7/3/08	Amazon		Paypal Utahbiodies	filters	bio-diesel		-67.00
7/24/12	Amazon		Paypal	appeal	Professional fees		-600.00 *
8/29/12	Amazon		Paypal	appeal	Professional fees		-600.00 *
10/3/12	Amazon		Paypal		Insurance		-169.99
10/22/12	Amazon		Paypal	Appeals	Professional fees		-270.00 *
11/4/12	Chase 9219		Paypal	Appeals	Professional fees		-630.00 *
Total 12/7/05 - 1/6/14							-2,645.99
Total Inflows							0.00
Total Outflows							-2,645.99
Net Total * 2,100.00							-2,645.99

QuickReport by Description
 12/7/05 through 1/6/14

Date	Account	Num	Payee	Memo	Category	Clr	Amount
6/29/09	Cash		Dessaules Law Group	conseltation fee	Professional fees		-200.00
6/30/09	Roger & Elizabeth D. Chantel	1555	Dessaules Law Group	retainer	Professional fees		-10,000.00
11/12/09	Roger & Elizabeth D. Chantel	1563	Dessaules Law Group	conseltation fee	Professional fees		-163.14
12/2/09	Roger & Elizabeth D. Chantel	1565	Dessaules Law Group	services	Professional fees		-6,613.05
1/28/10	Roger & Elizabeth D. Chantel	1569	Dessaules Law Group	services	Professional fees		-7,168.16
3/2/10	Roger & Elizabeth D. Chantel	1575	Dessaules Law Group	services	Professional fees		-3,000.00
3/17/10	Roger & Elizabeth D. Chantel	1577	Dessaules Law Group	services	Professional fees		-1,000.00
6/4/10	Roger & Elizabeth D. Chantel	1583	Dessaules Law Group	services	Professional fees		-2,500.00
6/29/10	Roger & Elizabeth D. Chantel	1586	Dessaules Law Group	services	Professional fees		-1,000.00
7/8/10	Roger & Elizabeth D. Chantel	1588	Dessaules Law Group	services	Professional fees		-500.00
8/13/10	Roger & Elizabeth D. Chantel	1591	Dessaules Law Group	services	Professional fees		-2,000.00
9/16/10	Roger & Elizabeth D. Chantel	1600	Dessaules Law Group	services	Professional fees		-500.00
9/29/10	Roger & Elizabeth D. Chantel	1602	Dessaules Law Group	services	Professional fees		-2,500.00
10/18/10	Roger & Elizabeth D. Chantel	1608	Dessaules Law Group	services	Professional fees		-2,000.00
11/17/10	Roger & Elizabeth D. Chantel	1620	Dessaules Law Group	services	Professional fees		-1,000.00
12/9/10	Roger & Elizabeth D. Chantel	1626	Dessaules Law Group	services	Professional fees		-3,000.00
1/18/11	Roger & Elizabeth D. Chantel	1634	Dessaules Law Group	services	Professional fees		-2,000.00
2/17/11	Roger & Elizabeth D. Chantel	1638	Dessaules Law Group	services	Professional fees		-2,000.00
3/22/11	Roger & Elizabeth D. Chantel	1646	Dessaules Law Group	services	Professional fees		-2,000.00
4/15/11	Roger & Elizabeth D. Chantel	1652	Dessaules Law Group	services	Professional fees		-2,000.00
5/17/11	Roger & Elizabeth D. Chantel	1656	Dessaules Law Group	services	Professional fees		-1,000.00
6/8/11	Roger & Elizabeth D. Chantel	1660	Dessaules Law Group	services	Professional fees		-2,000.00
Total 12/7/05 - 1/6/14							-54,144.35
Total Inflows							0.00
Total Outflows							-54,144.35
Net Total							-54,144.35

QuickReport by Description
12/7/05 through 1/6/14

<u>Date</u>	<u>Account</u>	<u>Num</u>	<u>Payee</u>	<u>Memo</u>	<u>Category</u>	<u>Clr</u>	<u>Amount</u>
7/18/11	Roger & Elizabeth D. Chantel	1668	The Dodds Law Firm	legal retainer	Services		-5,000.00
9/6/11	Roger & Elizabeth D. Chantel	1673	The Dodds Law Firm	legal services	Services		-5,967.50
10/4/11	Roger & Elizabeth D. Chantel	1674	The Dodds Law Firm	legal services	Services		-5,280.00
12/12/11	Roger & Elizabeth D. Chantel	1681	The Dodds Law Firm	legal services	Services		-3,960.00
Total 12/7/05 - 1/6/14							-20,207.50
Total Inflows							0.00
Total Outflows							-20,207.50
Net Total							<u>-20,207.50</u>

QuickReport by Description
12/7/05 through 1/6/14

<u>Date</u>	<u>Account</u>	<u>Num</u>	<u>Payee</u>	<u>Memo</u>	<u>Category</u>	<u>Clr</u>	<u>Amount</u>
7/9/12	Cash		Sandy Ong-Wolf	transcripts	Professional fees		-500.00
Total 12/7/05 - 1/6/14							-500.00
Total Inflows							0.00
Total Outflows							-500.00
Net Total							<u>-500.00</u>

EXHIBIT "C"

STATEMENT

Date: ~~Mar 8~~, 2009
Statement # 100
Roger Chantel]
10001 E. Hwy. 66
Kingman, AZ 86401

BILL TO Mohave Electric Cooperative
P.O. Box 1045
Bullhead City, AZ 86430-1045

Comments

DATE	DESCRIPTION	BALANCE	AMOUNT
2-8-2009	Last Statement Balance	\$60,487.34	
3-8-2009	Service and Finance Charges	\$ 1,032.31	
	Statement Total		\$61,519.65

STATEMENT

Date: January 1, 2014
Statement # 137

Roger Chantel
10001 E. Hwy. 66
Kingman, AZ 86401

BILL TO Mohave Electric Cooperative
P.O. Box 1045
Bullhead City, AZ 86430-1045

Comments

DATE	DESCRIPTION	BALANCE	AMOUNT
12-1-2013	Last Statement Balance	\$152,387.92	
1-1-2014	Service and Finance Charges	\$ 2,410.82	
	Statement Total		\$154,798.74

Proof of and Certificate of Mailing

I hereby certify that on the 17th day of January, 2014, I caused the foregoing documents to be re-submitted to the Arizona Corporation Commission to add the Docket Number to the front page. These documents were served this 17th day of January, 2014, on the Arizona Corporation Commission by mailing the original and (13) copies to:

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

Elizabeth Chantel