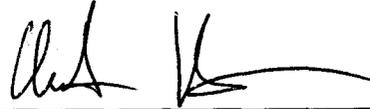


1 appointment. Staff hereby provides notice of filing Mr. Dougherty's letter, which was also copied to
2 Staff.

3 RESPECTFULLY SUBMITTED this 17th day of March 2014.

4
5 

6 Charles H. Hains
7 Wesley C. Van Cleve
8 Attorneys, Legal Division
9 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

10 Original and thirteen (13) copies
11 of the foregoing filed this
12 17th day of March 2014, with:

13 Docket Control
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Copy of the foregoing mailed this
18 17th day of March 2014, to:

19 Todd C. Wiley
20 FENNEMORE CRAIG
21 2394 East Camelback Road, Suite 600
22 Phoenix, Arizona 85016-3429

23 Patricia D. Olsen
24 Montezuma Rimrock Water Co.
25 P.O. Box 10
26 4615 East Goldmine Road
27 Rimrock, Arizona 86335

28 John E. Dougherty III
P.O. Box 501
Rimrock, Arizona 86335



March 16, 2014

Ms. Jodi Jerich
Executive Director
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Via Email: JAJerich@azcc.gov, SABernal@azcc.gov

RE: In the Matter of the Application of Montezuma Rimrock Water Company, LLC for Approval of Financing to Install a Water Line from the Well on Tieman to Well No. 1 on Towers; Docket No. W-04254A-12-0204; In the Matter of the Application of Montezuma Rimrock Water Company, LLC for Approval of Financing to Purchase the Well No. 4 Site and the Company Vehicle, Docket No. W-04254A-12-0205; In the Matter of the Application of Montezuma Rimrock Water Company, LLC for Approval of Financing for an 8,000-Gallon Hydro-Pneumatic Tank, Docket No. W-04254A-12-0206; In the Matter of the Rate Application of Montezuma Rimrock Water Company, LLC, Docket No. W-04254A-12-0207; John E. Dougherty, Complainant, V. Montezuma Rimrock Water Company, LLC, Respondent, Docket No. W-04254A-11-0323; In the Matter of the Application of Montezuma Rimrock Water Company, LLC for Approval of a Rate Increase, Docket No. W-04254A-08-0361; and In the Matter of the Application of Montezuma Rimrock Water Company, LLC for Approval of a Rate Increase, Docket No. W-04254A-08-0362.

Dear Ms. Jerich:

Late on the afternoon of Friday, March 14, I received notice of a special open meeting for the Commission to discuss, consider, and possibly vote on Montezuma Rimrock Water Company's Request for Emergency/Interim Relief, filed in these consolidated dockets on March 7, 2014. Unlike previous occasions when meetings were scheduled before the Administrative Law Judge, Commission staff did not contact me to discuss my availability prior to scheduling this meeting.

I am out of the country and will not return to Arizona until the evening of Tuesday, March 18. If necessary, I would be happy to provide a copy of the airline ticket as proof. I also have a previously scheduled business meeting all day on Wednesday, March 19 in Tubac. I can provide evidence of this meeting, if necessary. I can attend a Commission meeting in person on any other date, including Thursday, March 20.

It is very important to note that this meeting has been scheduled to consider granting an emergency rate increase to provide funds for two capital leases that have never been approved by the Commission. The question of whether these leases should receive retroactive approval was one of the three matters that Administrative Law Judge Sarah Harpring specifically requested that the Company, Staff and Intervenor/Complainant prepare briefs at the conclusion of last summer's five-day administrative hearing.

Furthermore, evidence presented during the hearing shows that Montezuma's owner, Patricia Olsen, and her husband, Gregory Olsen, personally guaranteed payment of both leases. Therefore, the leasing companies have recourse for Montezuma's nonpayment of the leases through the Olsens.

In addition, Montezuma provided no evidence that the leasing companies have begun any formal legal action against Montezuma and/or the Olsens that requires an emergency hearing to be scheduled with less than three business days notice. It is important to note that Montezuma has not paid the Nile River lease payment since November and there is no evidence of a demand letter for nonpayment from Nile River.

There is no true emergency where MRWC cannot continue to provide potable drinking water to its customers in the immediate future. There is simply the fact the company has refused to pay for leases that have never been approved by the Commission and are personally guaranteed by the Olsens. There are many legal steps that must be completed before repossession of the Arsenic Treatment Facility secured by the Nile River and Financial Pacific leases becomes imminent.

I respectfully request that the emergency hearing be rescheduled to another date.

Respectfully,

John Dougherty
Intervenor/Complainant

PO Box 501
Rimrock, AZ
86335
jd.investigativemedia@gmail.com

Cc: Sarah Harpring
Brian Bozzo
Wes Van Cleve
Charles Hains
Steve Olea
Patricia Olsen
Todd Wiley