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**TER SMITH PROPOSED AMENDMENT NO. 1**

ME/DATE PREPARED: \_\_\_\_\_

COMPANY: MONTEZUMA RIMROCK WATER COMPANY, LLC AGENDA ITEM NO. 24

DOCKET NO(S). W-04254A-12-0204, OPEN MEETING DATE: April 8-9, 2014  
W-04254A-12-0205,  
W-04254A-12-0206, W-04254A-12-0207, W-04254A-11-0323,  
W-04254A-08-0361, and W-04254A-08-0362

*The purpose of this Amendment is to direct the Legal Division to consult with the Attorney General's Office regarding a referral for possible further action against Montezuma and its owner under Arizona law.*

Page 137, beginning at line 7, **INSERT** New Paragraph:

**ORIGINAL**

The Commission depends upon accurate information being filed by the companies that it regulates. The facts of this case indicate that the Company and its owner knowingly filed what appear to be misleading information and documents with the Commission apparently in an effort to avoid Commission jurisdiction. The Commission cannot condone such action under any circumstances. A.R.S. § 40-421(B) states that "upon request of the commission, the attorney general, or the county attorney of the proper county, shall aid in any investigation, hearing or trial conducted under the provisions of this chapter and shall institute and prosecute actions or proceedings for enforcement of the provisions of the constitution and statutes of this state affecting public service corporations and for punishment of all violations thereof." Because of the very serious nature of the Company's and owner's actions reflected in the record, we shall direct the Legal Division to consult with the Attorney General's Office regarding a referral for possible further action against Montezuma and its owner under Arizona law.

Page 137, Line 12, **DELETE**:

"result in adverse actions against it, and may"

Arizona Corporation Commission

**DOCKETED**

APR 07 2014

DOCKETED BY 

REC'D  
AZ CORP COMMISSION  
DOCKET CONTROL  
2014 APR 7 PM 3 24

**\*\* Make all conforming changes**

<b>THIS AMENDMENT:</b>		
_____ Passed _____	Passed as amended by _____	
_____ Failed _____	_____ Not Offered _____	_____ Withdrawn _____

**BITTER SMITH PROPOSED AMENDMENT NO. 1**

TIME/DATE PREPARED: \_\_\_\_\_

COMPANY: MONTEZUMA RIMROCK WATER COMPANY, LLC AGENDA ITEM NO. 24

DOCKET NO(S). W-04254A-12-0204, OPEN MEETING DATE: April 8-9, 2014  
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W-04254A-08-0361, and W-04254A-08-0362

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Page 151, **INSERT** New FOF 48, and renumber accordingly:

The Commission depends upon accurate information being filed by the companies that it regulates. The facts of this case indicate that the Company and its owner knowingly filed what appear to be misleading information and documents with the Commission apparently in an effort to avoid Commission jurisdiction. The Commission cannot condone such action under any circumstances. A.R.S. § 40-421(B) states that “upon request of the commission, the attorney general, or the county attorney of the proper county, shall aid in any investigation, hearing or trial conducted under the provisions of this chapter and shall institute and prosecute actions or proceedings for enforcement of the provisions of the constitution and statutes of this state affecting public service corporations and for punishment of all violations thereof.” Because of the very serious nature of the Company’s and owner’s actions reflected in the record, we shall direct the Legal Division to consult with the Attorney General’s Office regarding a referral for possible further action against Montezuma and its owner under Arizona law.

Page 161, Line 18, **DELETE**:

“or otherwise taking adverse action against Montezuma Rimrock Water Company, LLC”

Page 161, Line 20, **DELETE**:

“result in adverse actions against, it and may”

Page 161, Line 25, **INSERT** New Ordering Paragraph 18:

IT IS FURTHER ORDERED that because of the very serious nature of the Company’s and owner’s actions reflected in the record, the Commission directs the Legal Division to consult with the Attorney General’s Office regarding a referral for possible further action against Montezuma and its owner under Arizona law.

**\*\* Make all conforming changes**

<b>THIS AMENDMENT:</b>		
_____ Passed _____	Passed as amended by _____	
_____ Failed _____	Not Offered _____	_____ Withdrawn _____