



0000160051

RECEIVED

2015 FEB 17 P 1:15

AZ CORP COMMISSION
DOCKET CONTROL

ORIGINAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Date: February 16, 2015

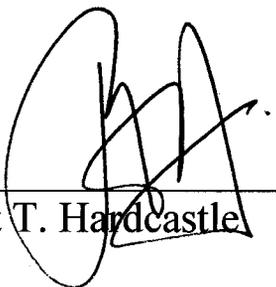
To: **Docket Control**
Arizona Corporation Commission
1200 West Washington St.
Phoenix, AZ 85007

From: Robert T. Hardcastle
Circle City Water Co LLC

FOR FILING ORIGINAL AND 13 COPIES INTO:

DOCKET NO. W-03510A-13-0397

Arizona Corporation Commission
DOCKETED
FEB 17 2015
DOCKETED BY 

By: 
Robert T. Hardcastle

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2
3 Robert T. Hardcastle
4 Circle City Water Company, LLC
5 P.O. Box 82218
6 Bakersfield, CA 93380-2218
7 *Representing Itself In Propria Persona*

8
9 **COMMISSIONERS**

10 Gary Pierce, Chairman
11 Bob Burns, Commissioner
12 Brenda Burns, Commissioner
13 Bob Stump, Commissioner
14 Susan Bitter Smith, Commissioner
15

16 IN THE MATTER OF THE)
17 APPLICATION OF CIRCLE CITY)
18 WATER COMPANY, LLC FOR)
19 DELETION OF A PORTION OF ITS)
20 EXISTING CERTIFICATE OF)
21 CONVENIENCE AND)
22 NECESSITY FOR WATER SERVICE)
23 _____)
24

Docket No. W-03510A-13-0397
NOTICE OF FILING -
SECOND STATUS UPDATE OF
SETTLEMENT NEGOTIATIONS

25 Pursuant to the Procedural Order issued by Administrative Law Judge Kinsey
26 on December 10, 2014 and as amended on January 13, 2015, Circle City Water Company
27 LLC (Circle City”) does hereby file it’s update on the status of settlement negotiations
28 with parties Lake Pleasant 5000 (“LP5K”) and Rex G. Maughan and Ruth G. Maughan,
29 Trustees of the Maughan Revocable Trust 2007, (“MRT”) and collectively hereafter
30 known as the “Intervenors”.

31 **I. NEGOTIATION EFFORTS**

32 Immediately following the Procedural Conference of December 10, 2014 Circle
33 City and the Intervenors met between themselves and Counsel for Staff to discuss
34 possible settlement options and conditions. The meeting lasted approximately one hour
35 and some possible settlement scenarios were discussed.

1 On December 16, 2014 Counsel for MRT issued and signed a “good faith”
2 “best and final” Settlement Proposal letter in this matter. Although the letter proffered
3 settlement inclusive of LP5K the letter was exclusively signed by Counsel for MRT and
4 copied to Counsel for LP5K. No further proposal, clarification, affirmation of MRT’s
5 Settlement Proposal, or corresponding settlement proposal has been specifically issued by
6 LP5K. It is unclear whether the terms of MRT’s Settlement Proposal were also on behalf
7 of LP5K or not as no further communication has been received from LP5K or MRT.

8 On December 18, 2014 the principals of Circle City met and discussed MRT’s
9 Settlement Proposal and developed six simple questions regarding the proposal that were
10 incomplete and/or unclear. On the same date Circle City issued an electronic message to
11 counsel for both MRT and LP5K indicating the several issues related to the Settlement
12 Proposal were unclear. Circle City asked counsel for timely clarification of these issues.
13 As of this filing no further response has been received by Circle City from counsel for
14 either MRT or LP5K.

15 On February 11, 2015, after more than 55 days since Circle City’s electronic
16 message to counsel for LP5K and MRT, a reply and updated settlement offer was
17 received. Not all of Circle City’s questions were answered. Accordingly, the principals of
18 Circle City have not yet had an opportunity to meet and fully consider the latest
19 settlement offer from the Interveners. However, Circle City is not optimistic that the
20 latest “best and final offer” from the Interveners will lead to a fair and reasonable
21 settlement in this matter.

22 **II. CONCLUSION**

23 Although the present, thus-far unsuccessful negotiations between the Parties
24 have not produced a settlement this current status does not necessarily preclude future
25 settlement of the issues.

1. RESPECTFULLY SUBMITTED this 16th day of February 2015.

2 Circle City Water Company, LLC

3
4 By: 
5 Robert T. Hardcastle

6 *In Propria Persona*
7
8
9

10
11
12 ORIGINAL and 13 copies filed
13 this 16th day of February 2015, with:

14
15 **Docket Control**
16 **Arizona Corporation Commission**
17 **1200 West Washington St.**
18 **Phoenix, AZ 85007**

19
20 And copies mailed to the following:

21
22 Yvette B. Kinsey, Administrative Law Judge
23 HEARING DIVISION
24 Arizona Corporation Commission
25 1200 West Washington St.
26 Phoenix, AZ 85007

27
28 Janice Alward
29 Chief, Legal Division
30 Arizona Corporation Commission
31 1200 West Washington St.
32 Phoenix, AZ 85007

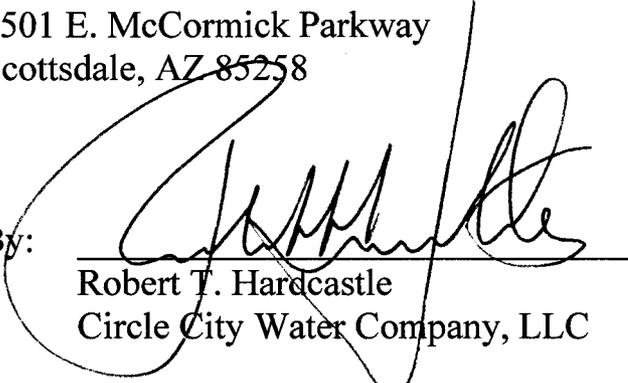
33
34 Steve Olea
35 Director, Utilities Division
36 Arizona Corporation Commission
37 1200 West Washington St.
38 Phoenix, AZ 85007

1. Gary Hays
2 1702 E. Highland Ave., Suite 204
3 Phoenix, AZ 85016

4
5 Darin P. Reber
6 7501 E. McCormick Parkway
7 Scottsdale, AZ 85258

8
9

10

11 By: 

12

Robert T. Hardcastle
Circle City Water Company, LLC

13

14