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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

ORIGINAL

RECEIVED
2015 SEP 29 2 45
AZ CORP COMMISSION

BRIAN RAK,

Complainant,

vs.

JOHNSON UTILITIES, L.L.C.,

Respondent.

Arizona Corporation Commission

DOCKETED

SEP 29 2015

DOCKETED BY

DOCKET NO. WS-02987A-15-0261

PROCEDURAL ORDER

BY THE COMMISSION:

On July 13, 2015, Brian Rak ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Formal Complaint ("Complaint") against Johnson Utilities, L.L.C. ("Johnson" or "the Company"), alleging that Johnson had shut off Complainant's sewer service without notice, and that sewage had backed up in Complainant's home causing over \$10,000 in damages. The Complaint requested costs related to damages to Complainant's home as well as punitive damages for mental distress.

On August 6, 2015, Johnson filed a request for an extension of time, until August 14, 2015, to file an answer to the Complaint.

On August 11, 2015, Johnson filed an answer to the Complaint disputing the allegations made in the Complaint.

On August 13, 2015, Complainant filed a response to Johnson's request, objecting to Johnson's request for an extension of time.

On August 18, 2015, by Procedural Order, Johnson's request for an extension of time was granted. Further, a procedural conference was scheduled for September 10, 2015, to determine the appropriate procedural schedule for this matter.

1 On September 10, 2015, a procedural conference was held as scheduled. Complainant appeared
2 telephonically on his own behalf. The Company appeared through counsel. Discussions were held
3 regarding a procedural schedule for this matter, and it was determined that this matter should be set for
4 hearing. As a preliminary matter, Johnson requested to file a brief regarding Complainant's claims for
5 damages.

6 On September 15, 2015, by Procedural Order, a hearing in this matter was set to commence on
7 February 22, 2016, and other procedural deadlines were established.

8 On September 18, 2015, the parties filed a Joint Stipulation to Withdrawal of Complaint and
9 Dismissal with Prejudice ("Stipulation"). The Stipulation was signed by both parties.

10 IT IS THEREFORE ORDERED that withdrawal of the Formal Complaint in this docket is
11 hereby granted and the Formal Complaint is dismissed with prejudice.

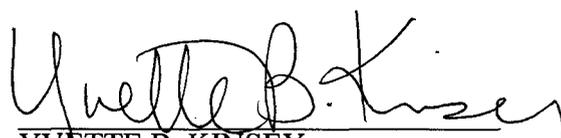
12 IT IS FURTHER ORDERED that the hearing scheduled to commence on **February 22, 2016,**
13 **is hereby vacated.**

14 IT IS FURTHER ORDERED that **all procedural deadlines set forth in the September 15,**
15 **2015, procedural order are hereby vacated.**

16 IT IS FURTHER ORDERED that the above-captioned docket is hereby administratively
17 closed.

18 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
19 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at the
20 hearing.

21 DATED this 29th day of September, 2015.

23 
24 YVETTE B. KINSEY
25 ADMINISTRATIVE LAW JUDGE

26 ...
27 ...
28

1 Copies of the foregoing mailed/delivered
2 this 29th day of September, 2015 to:

3 Jeffrey W. Crockett
4 CROCKETT LAW GROUP
5 1702 E. Highland Ave., Suite 204
6 Phoenix, AZ 85016
7 Attorney for Johnson Utilities, L.L.C.

8 Brian Rak
9 1343 E. Santa Fiore Street
10 San Tan Valley, AZ 85140

11 Janice Alward, Chief Counsel
12 Legal Division
13 ARIZONA CORPORATION COMMISSION
14 1200 West Washington Street
15 Phoenix, AZ 85007

16 Thomas Broderick, Director
17 Utilities Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, AZ 85007

21 COASH & COASH, INC.
22 Court Reporting, Video and Videoconferencing
23 1802 North 7th Street
24 Phoenix, AZ 85006

25
26 By: Rebecca Unquera
27 Rebecca Unquera
28 Assistant to Yvette B. Kinsey