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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

SUSAN BITTER SMITH - Chairman  
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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
DOCKETED

AUG 18 2015

DOCKET NO. WS-02987A-15-0261

BRIAN RAK,

Complainant,

DOCKETED BY

ORIGINAL

vs.

JOHNSON UTILITIES, L.L.C.,

Respondent.

**PROCEDURAL ORDER**  
**(Sets Procedural Conference)**

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 shut off Complainant's sewer without notice, and that sewage backed up in Complainant's home causing over \$10,000 in damages. The Complaint seeks 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 to file an answer to the Complaint ("Request"). Johnson's request stated that Johnson needed additional time to file its answer; that the Company had attempted to reach Complainant by telephone and email to confirm that he did not object to the Request; and that the Company had not received a response from Complainant regarding Johnson's request. Johnson requested an extension of time from August 6, 2015 to August 14, 2015 to file its answer.

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, stating that he

1 objected to the request for an extension of time.

2 It is appropriate to schedule a procedural conference to discuss an appropriate procedural  
3 schedule in this matter. Further, Johnson's Request for an extension of time should be granted.

4 IT IS THEREFORE ORDERED that Johnson's Request for an extension of time is hereby  
5 granted.

6 IT IS FURTHER ORDERED that a **procedural conference in this matter shall be held on**  
7 **September 10, 2015, at 10:00 a.m.** or as soon thereafter as is practicable, at the Commission's  
8 offices, 1200 West Washington Street, Hearing Room No. 1, Phoenix, AZ.

9 IT IS FURTHER ORDERED that, as permitted under A.A.C. R14-3-107(B), each party to  
10 this matter may opt to receive service of all filings in this docket, including all filings by parties and  
11 all Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the  
12 Commission's Hearing Division, via email sent to an email address provided by the party rather than  
13 via U.S. Mail. To exercise this option, a party shall:

- 14 1. Ensure that the party has a valid and active email address to which the party has  
15 regular and reliable access ("designated email address");
- 16 2. Complete a Consent to Email Service form, available on the Commission's website  
17 ([www.azcc.gov](http://www.azcc.gov));
- 18 3. File the original and 13 copies of the Consent to Email Service form with the  
19 Commission's Docket Control, also providing service to each party to the service list;
- 20 4. Send an email, containing the party's name and the docket number for this matter, to  
21 [HearingDivisionServicebyEmail@azcc.gov](mailto:HearingDivisionServicebyEmail@azcc.gov) from the designated email address, to  
22 allow the Hearing Division to verify the validity of the designated email address;
- 23 5. Understand and agree that service of a document on the party shall be complete upon  
24 the sending of an email containing the document to the designated email address,  
25 regardless of whether the party receives or reads the email containing the document;  
26 and



1 Thomas Broderick, Director  
2 Utilities Division  
3 ARIZONA CORPORATION COMMISSION  
4 1200 West Washington Street  
5 Phoenix, AZ 85007

6 COASH & COASH, INC.  
7 Court Reporting, Video and Videoconferencing  
8 1802 North 7<sup>th</sup> Street  
9 Phoenix, AZ 85006

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By:   
Tammy Velarde  
Assistant to Yvette B. Kinsey