

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 25-0538**

**RESIDENTIAL UTILITY, et al. v. ACC, et al.**

**Appellate Case Information**

Case Filed: 23-Jul-2025  
Case Closed:

**Dept/Composition**

**Side 1. RESIDENTIAL UTILITY CONSUMER OFFICE, et al., Plaintiff/Appellant**

**(Litigant Group) RESIDENTIAL UTILITY CONSUMER OFFICE**

- Residential Utility Consumer Office

**Co-cnsl for: Plaintiff/Appellant Residential**

Daniel W Pozefsky, Esq. (AZ Bar No. 13077)  
Sarah M Barrios Cool, Esq. (AZ Bar No. 28557)  
D Andrew Gaona, Esq. (AZ Bar No. 28414)  
Austin C Yost, Esq. (AZ Bar No. 34602)  
Kelleen Mull, Esq. (AZ Bar No. 36517)

**(Litigant Group) ARIZONA LARGE CUSTOMER GROUP**

- Arizona Large Customer Group

**Attorneys for: Plaintiff/Appellant AZ Large Consum**

Michelle Brandt King, Esq. (AZ Bar No. 38524)  
Austin W Jensen, Esq. (AZ Bar No. 38143)  
Abraham G Smith, Esq. (AZ Bar No. abrahamsmith)

**(Litigant Group) STUART THALER**

- Stuart Thaler

**Attorneys for: Plaintiff/Appellant Stuart**

Daniel J Adelman, Esq. (AZ Bar No. 11368)  
Chanele N Reyes, Esq. (AZ Bar No. 34898)

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0538

RESIDENTIAL UTILITY, et al. v. ACC, et al.

Side 2. ARIZONA CORPORATION COMMISSION, et al., Defendant/Appellee

(Litigant Group) ARIZONA CORPORATION COMMISSION

- Arizona Corporation Commission

Attorneys for: Defendant/Appellee

Thomas Van Flein, Esq. (AZ Bar No. 39145)
J Michael Dailey, Jr., Esq. (AZ Bar No. 19046)
Maureen A Scott, Esq. (AZ Bar No. 12344)

(Litigant Group) ARIZONA WATER COMPANY

- Arizona Water Company

Attorneys for: Defendant/Appellee AZ Water Co.

Meghan Gabel, Esq. (AZ Bar No. 21362)
Phillip W Londen, Esq. (AZ Bar No. 32488)
Elias J Ancharki, Esq. (AZ Bar No. 35590)
Jacob Abrahamian, Esq. (AZ Bar No. 37467)

(Litigant Group) ARIZONA PUBLIC SERVICE

- Arizona Public Service Company

Attorneys for: Defendant/Appellee APS

Mary R O'Grady, Esq. (AZ Bar No. 11434)
Joseph N Roth, Esq. (AZ Bar No. 25725)
Michael Moorin, Esq. (AZ Bar No. 39811)

(Litigant Group) EPCOR WATER AZ, INC.

- EPCOR Water Arizona Inc

Co-Cnsl for: Defendant/Appellee EPCOR

Randall S Papetti, Esq. (AZ Bar No. 14586)
Lawrence A Kasten, Esq. (AZ Bar No. 20204)

(Litigant Group) GLOBAL WATER-SANTA CRUZ WATER COMPANY Inc., et al.

- Global Water Santa Cruz Water Company Inc
Global Water
Palo Verde Utilities Companies Inc

Co-Counsel for: Defendant/Appellee Global Water et

Robert J Metli, Esq. (AZ Bar No. 18509)
Paloma Scheiferstein, Esq. (AZ Bar No. 35672)

(Litigant Group) TUCSON ELECTRIC POWER COMPANY, et al.

- Tucson Power Electric Company
UNS Electric Inc
UNS Gas Inc

Attorneys for: Defendant/Appellee Tucson Electric

Megan Hill, Esq. (AZ Bar No. 21820)
Michael W Patten, Esq. (AZ Bar No. 9796)
Amanda Z Weaver, Esq. (AZ Bar No. 34644)

(Litigant Group) LIBERTY UTILITIES (LITCHFIELD PARK WATER & SEWER) CORP.

- Liberty Utilities Corp

Attorneys for: Defendant/Appellee Liberty Utility

Timothy J Sabo, Esq. (AZ Bar No. 21309)

CASE STATUS

Oct 22, 2025.... Stayed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2025-011288, Declaratory Judgment, Susanna C Pineda, Authoring Judge of Order.

OPEN DUE DATE

Court Ordered Document Due Due By: Thursday, July 23, 2026

Re: \* ORDERED: Continuing the stay of this appeal until after the Arizona Supreme Court addresses the petition for review in CV-25-0343-PR. FURTHER ORDERED: Within 20 days after the Arizona Supreme Court indicates whether it will grant review of the petition,

36 PROCEEDING ENTRIES

- 1. 23-Jul-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/26/25, 06/26/25, 06/27/25
2. 23-Jul-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 24-Jul-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 25-0538****RESIDENTIAL UTILITY, et al. v. ACC, et al.****36 PROCEEDING ENTRIES**

4.	25-Jul-2025	FILED: Residential Utility Consumer Office's Notice of Filing Court Transcripts; Certificate of Service; Reporter's Transcript - 04/11/2025 - Order to Show Cause Hearing (Cindy Bachman); Reporter's Transcript - 04/22/2025 - Status Conference (Cindy Bachman); Reporter's Transcript - 06/09/2025 - Oral Arguments Regarding Motions to Dismiss (Cindy Bachman) (Appellant Residential Utility Consumer Office)
5.	28-Jul-2025	FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant Thaler)
6.	1-Aug-2025	RECEIPT No.: 2025-00834 ; \$330.00, Authorization: #13008893997, Applied to: STUART THALER - Class A Filing Fee (\$330.00) Paid for: Daniel J Adelman - By nCourt LLC
7.	4-Aug-2025	FILED: AZLCG's Notice of Payment of Filing Fee; Untitled (Certificate of Service) (Appellant)
8.	6-Aug-2025	FILED: Case Management Statement (Appellant Stuart)
9.	8-Aug-2025	RECEIPT No.: 2025-00876 ; \$330.00, Authorization: #20007743361, Applied to: ARIZONA LARGE CUSTOMER GROUP - Class A Filing Fee (\$330.00) Paid for: Holland & Hart LLP - By nCourt LLC
10.	27-Aug-2025	FILED: Appellate Clerk Notice re: One Appellee exempted, six Appellees Fee; Appellants Brief Due
11.	27-Aug-2025	FILED: Settlement Conference Program Notice
12.	3-Sep-2025	FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee)
13.	4-Sep-2025	FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee Liberty Utility)
14.	5-Sep-2025	FILED: Notice of Payment of Fee; Notice - Certificate of Service (Appellee Epcor)
15.	8-Sep-2025	FILED: Notice of Payment of Filing Fee; Global Water - Santa Cruz Water Company, Inc.'s And Global Water - Palo Verde Utilities Company, Inc.'s Certificate Of Service (Appellee Global Water)
16.	8-Sep-2025	FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee AZ Water)
17.	9-Sep-2025	RECEIPT No.: 2025-00991 ; \$165.00, Authorization: # 52006109032, Applied to: ARIZONA PUBLIC SERVICE - Class B Filing Fee (\$165.00) Paid for: Osborn Maledon PA - By nCourt, LLC
18.	9-Sep-2025	FILED: Tucson Electric Power Company's, Uns Electric, Inc.'s, And Uns Gas, Inc.'s Notice of Payment of Filing Fee (Appellee)
19.	9-Sep-2025	FILED: Tucson Electric Power Company's, Uns Electric, Inc.'s, And Uns Gas, Inc.'s Certificate of Service (Appellee)
20.	10-Sep-2025	RECEIPT No.: 2025-00999 ; \$165.00, Authorization: #53008054168, Applied to: LIBERTY UTILITIES (LITCHFIELD PARK WATER & SEWER) - Class B Filing Fee (\$165.00) Paid for: Osborn Maledon PA - By nCourt LLC
21.	11-Sep-2025	RECEIPT No.: 2025-01008 ; \$165.00, Authorization: #54012252123, Applied to: EPCOR WATER AZ, INC. - Class B Filing Fee (\$165.00) Paid for: Papetti Samuels Weiss McKirgan LLP - By nCourt LLC
22.	12-Sep-2025	RECEIPT No.: 2025-01017 ; \$165.00, Authorization: # 55006514761, Applied to: GLOBAL WATER-SANTA CRUZ WATER COMPANY Inc., et al - Class B Filing Fee (\$165.00) Paid for: Paloma Scheiferstein - By nCourt LLC
23.	12-Sep-2025	RECEIPT No.: 2025-01018 ; \$165.00, Authorization: # 55006514761, Applied to: ARIZONA WATER COMPANY - Class B Filing Fee (\$165.00) Paid for: Osborn Maledon PA - By nCourt LLC
24.	12-Sep-2025	RECEIPT No.: 2025-01020 ; \$165.00, Authorization: # 55006514761, Applied to: TUCSON ELECTRIC POWER COMPANY, et al. - Class B Filing Fee (\$165.00) Paid for: Michael W Patten - By nCourt LLC
25.	22-Sep-2025	FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellants Residential and Thaler)
26.	22-Sep-2025	FILED: Separate Appendix to Opening Brief - Volume 1 (Appellants Residential and Thaler)
27.	22-Sep-2025	FILED: Separate Appendix to Opening Brief - Volume 2 (Appellants Residential and Thaler)
28.	22-Sep-2025	FILED: Opening Brief of Plaintiff-Appellant Arizona Large Customer Group; Certificate of Compliance; (Untitled) Certificate of Service (Appellant Arizona Large)
29.	10-Oct-2025	FILED: Tucson Electric Power Company's, Uns Electric, Inc.'s, And Uns Gas, Inc.'s Notice of Appearance of Amanda Z. Weaver; Tucson Electric Power Company's, Uns Electric, Inc.'s, And Uns Gas, Inc.'s Certificate of Service (Appellee Tucson Electric)
30.	21-Oct-2025	FILED: Unopposed Motion for Procedural Order for Stay of Briefing Schedule; Certificate of Service (Appellee APS)
31.	22-Oct-2025	ORDERED: Unopposed Motion for Procedural Order for Stay of Briefing Schedule (Appellee APS) = GRANTED, vacating the 11/03/2025 due date for the answering briefs, and staying this appeal until after this court issues a decision in 1 CA-SA-25-0209. Within 14 calendar days after this court issues a decision, Arizona Public Service Company shall file notice of the decision in this appeal. The notice must indicate whether this appeal should proceed. Melina Brill ProTem Judge - Author
32.	5-Dec-2025	FILED: Notice of Decision in Special Action; Certificate of Service (Appellee APS)

**Court of Appeals, Division One**

**Civil Appeal**

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**36 PROCEEDING ENTRIES**

33. 22-Dec-2025 ORDERED: Continuing the stay of this appeal. FURTHER ORDERED: Directing appellee Arizona Public Service Company to file a status report in this appeal by 01/21/2026, indicating whether a petition for review was filed and, if so, the case number. Melina Brill ProTem Judge - Author
34. 21-Jan-2026 FILED: Status Report; Certificate of Service (Appellee APS)
35. 23-Jan-2026 ORDERED: Continuing the stay of this appeal until after the Arizona Supreme Court addresses the petition for review in CV-25-0343-PR. FURTHER ORDERED: Within 20 days after the Arizona Supreme Court indicates whether it will grant review of the petition, appellee Arizona Public Service Company shall file written notice in this appeal of the decision. FURTHER ORDERED: If the petition for review is denied, appellee's notice shall indicate whether this appeal should proceed and the other parties' positions. FURTHER ORDERED: Directing appellee Arizona Public Service Company to file a status report in this appeal by 07/23/2026. Melina Brill ProTem Judge - Author
36. 1-Jun-2026 FILED: Notice of Withdrawal of Counsel; Certificate of Service (Appellant Residential Utility Consumer Office)