



ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion No. 2006 - 53316

Date: 6/28/2006

Complaint Description: 08A Rate Case Items - Opposed

Complaint By: First: Charlie Last: Marsh

Account Name: Charlie Marsh

Home: [REDACTED]

Street: [REDACTED]

Work: (000) 000-0000

City: [REDACTED]

CBR:

State: AZ Zip: [REDACTED]

is:

Utility Company: Black Mountain Sewer Corporation

Division: sewer

Contact Name: n/a

Contact Phone: n/a

Nature of Complaint:

From: Charlie Marsh [REDACTED]
Sent: Monday, June 26, 2006 2:31 PM
To: Utilities Div - Mailbox; mailmaster@azcc.gov
Subject: Black Mountain Sewer request for Rate Increase

RECEIVED
2006 JUN 29 A 11:07
AZ CORP COMMISSION
DOCUMENT CONTROL

Consumer Services Division
Attn: Carmen Madrid
Arizona Corporation Commission
Utilities Division
1200 West Washington St.
Phoenix, AZ 85007
Fax - 602-542-2129
Docket # SW - 02361A - 05 -0657

Dear Members of the Commission:

My name is Charles A Marsh. I am the owner of [REDACTED] in the [REDACTED]. I purchased the property in January 2006. When we moved into the home on January 10th I noticed that BMSC was working on a pump station near the entrance to our property. The reason I noticed the work was that there was a distinct odor and a very noticeable amount of debris and damage to the landscaping around the pump station. (I will be glad to provide pictures of the area and debris.) For the next 4 months and well into May the people working came back and forth. Many times 2, 3 or 4 individuals from BMSC would be observed by me and other neighbors standing around for long periods of time, eating lunch and leaving trash with no visible sign of making progress. If any

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member of the commission ever went to the sight of that project and asked for an explanation of what went on and why it took 4 months, I think the explanation would be a sad testament to the efficiency of BMSC's operation. As a customer of BMSC I do not think my responsibility is to pay for costs associated with poor management, wasted time and repairs to my home necessitated because of careless work on the part of the BMSC employees. Any discussion on the part of the commission to grant a rate increase will only encourage BMSC to continue inefficient wasteful and risky behavior. If BMSC is not granted this increase then perhaps the shareholders of BMSC will force management to focus on improving operating standards and achieving cost efficiency. BMSC knew the situation when they bought this sewer system in 2001. I can't believe that a reasonable business plan at that time did not include a rate structure that allowed for necessary upkeep of the system while making a good return in a high growth area.

A serious problem occurred on or about April 12th when BMSC started the pump near our property with out taking the proper precautions to prevent sewage from backing up into our home. Dessert Foothills Plumbing and another contractor working on the house spent in excess of 30 hours cleaning the backup out of the drains in our home and guest house. I intend to bill BMSC for the damage to the plumbing in our house since I believe the damage was due to their carelessness. Since then the area surrounding the pump facility was never cleaned up and re landscaped.

My conclusion from observing these activities is that for a number of reasons, (improper planning, bad attitude, weak supervision,, etc. etc.) this situation made clear that BMSC has put the neighborhood at significant risk. Given the quality of service being delivered their request for any rate increase is ludicrous. I have rarely called their phone and gotten a person to answer and have only received return calls at best half of the time. They should be placed on a monitoring program for a period of time to insure that they can show evidence of running their business in a way that shows some signs of reversing the current inefficient and very unsatisfactory situation. As I said above they are basically asking the commission and their customers to bail out their incompetence.

I will be glad to send photos and discuss my experience further and can be reached at [REDACTED]. Thank you for your attention to this situation.

Sincerely,

Charles A. Marsh  
[REDACTED]

\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

6/28/06 I called customer and left a message stating the letter has been received and will be docketed in the proper files. If he has any questions I left my name and number. Opinion noted and filed in docket SW-02361A-05-0657. closed

\*End of Comments\*

**Date Completed: 6/28/2006**

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