

**ORIGINAL**



Boulders Homeowners Association  
Marilyn H. Courier, Secretary  
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AZ CORP COMMISSION  
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Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007-2927

February 22, 2007

Re: Black Mountain Sewer Corporation (Rates)  
Docket No. SW-02361-05-657  
Decision No. 69164 Dated: Dec. 5, 2006

Arizona Corporation Commission  
**DOCKETED**  
FEB 26 2007

To Commissioners: Jeff Hatch-Miller, Chairman  
William A. Mundell  
Mike Gleason  
Kristin K. Mayes  
Gary Pierce

DOCKETED BY *NR*

On November 22, 2006, the Arizona Corporation Commission (ACC) directed Black Mountain Sewer Corporation (BMSC) to "fix the problems" inherent in their sewer system in Carefree, notably, The Boulders and Carefree Inn Estates. In partial response to the ACC order, BMSC formed the Community Liaison Committee (CLC), which consists of representatives from the Boulders Homeowners Association (BHOA), the Town of Carefree, and BMSC. The purpose of this committee is to have open dialogue among all parties concerning the ongoing sewer odor problem that affects areas in the Town of Carefree, as well as the Boulders and Carefree Inn Estates. Minutes are taken.

The Committee has met twice since the November, 2006, ACC Hearing. The meetings have been successful in that BMSC has explained not only their plans, but also the delays in the removal of the CIE Lift Station. We met their new engineer, Tom Nichols, and were informed of the hiring of McBride Engineering to design appropriate solutions. In turn, the Homeowners have expressed their concerns regarding the continuing odors.

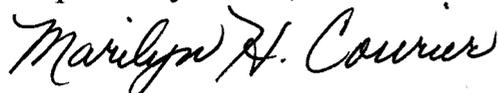
At our last meeting, on February 9, 2007, Debra McGrew, of McBride Engineering, presented a design for the Boulder Dr. area within The Boulders, along with an explanation of the principles involved. The McBride firm believes their design is practical and economical, and will solve the odor problem. I should add that Debra is an engineer who specializes in hydraulic analysis. Her analysis of the situation has led her to a different conclusion than that advanced by Stan Francom, for the Town, at the Hearing. **Consequently, the new design is a departure from the orders given by Judge Dwight Nodes, and by the Commissioners at the November Hearing.**

**The Boulders Homeowners Association wishes to inform the Commissioners that we have agreed to the proposed solutions by McBride Engineering, contingent upon their remedying the odor and related problems when implemented.** We informed BMSC, and through this letter are informing the ACC, that the representatives of the Homeowners in this matter are not engineers, and are relying on the expertise of those hired by BMSC. Further, we will raise serious objections if the implementation of the alternative solutions proposed by McBride Engineering does not eliminate the odors and related problems when construction is completed.

The BHOA continues to receive numerous sewer odor complaints. In fact, the odor is worse than before. We have forwarded many of the complaints to the sewer company, but to no avail. There are also complaints regarding the motors at the WWTP, which are running much louder, interrupting sleep for those residents who reside near the plant.

We appreciate your, and Judge Nodes, kind attention to this matter at the hearings last year. Given the severity of the odors we are presently experiencing, we request your help in urging BMSC to immediately address the odor problems within The Boulders in advance of the implementation of their proposed solutions.

Respectfully Yours,



Marilyn H. Courier

Secretary, Boulders Homeowners Association

ORIGINAL and 13 COPIES

Of the foregoing filed February 26,  
2007 with:

Arizona Corporation Commission  
Docket Control  
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COPIES of the foregoing hand-delivered  
February 26, 2007 to:

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