

W-02824A-07-0388



ORIGINAL

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

4760

**Investigator:** Trish Meeter

**Phone:** [REDACTED]

**Fax:** [REDACTED]

**Priority:** Respond Within Five Days

**Opinion No. 2008 69314**

**Date:** 6/17/2008

**Complaint Description:** 08A Rate Case Items - Opposed  
N/A Not Applicable

**Complaint By:** **First:** Charlie **Last:** Turney

**Account Name:** [REDACTED] **Home:** [REDACTED]

**Street:** [REDACTED] **Work:** [REDACTED]

**City:** Prescott **CBR:** [REDACTED]

**State:** AZ **Zip:** 86305 **is:** Cellular

**Utility Company:** ICR Water Users Association

**Division:** Water

**Contact Name:** [REDACTED] **Contact Phone:** [REDACTED]

**Nature of Complaint:**

6/16 \*\*\*\*\* RECEIVED THROUGH CHAIRMAN GLEASON'S OFFICE CC'D TO ALL COMMISSIONERS  
DOCKET NO. W-02824A-07-0388 \*\*\*\*\*

From: Charlie The Great Tuna [REDACTED]  
Sent: Thursday, June 05, 2008 10:26 AM  
To: Mayes-WebEmail; Mundell-Web; Pierce-Web; Gleason-WebEmail  
Subject: ICR Water Users Assoc & Decision 64360  
Importance: High

RECEIVED  
2008 JUN 17 P 4: 18  
AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
DOCKETED  
JUN 17 2008

DOCKETED BY [Signature]

ACC commissioners,

I attended Tuesday, June 3rd's, evening meeting of the ICR Water Users Association along with many many other members, and have formed an opinion on the situation we have at hand with our ICR Water Users Association (ICRWUA) Board of Directors and the issues with Harvard and Talking Rock Golf Club (TRGC).

The presentation by the Board, was a failed attempt to explain the proposed Letter of Understanding (LOU) and contractual relationships with Harvard and TRGC. It did not address the items of non compliance, of January 2008, nor did it correct the problems. In my view, literally, the presentation was nothing more than a reading aloud of the LOU, that attempts to surrogate the non-compliance issues and a string of written communications

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that had been sent to our membership. Their entire emphasis centered on a list of "doomsday threats", to the membership and items they had already given us along with defending their support of providing to TRGC "and/or any of its affiliates" a significantly discounted rate for service. Please keep in mind this discounted rate applies to an amount in excess of 171 million gallons of precious groundwater and is contrary to Decision 64360.

I also feel it important to remember the ICRWUA Board continues to defend their position that through their developed contractual relationship, that TRGC in their mind, should NOT be considered a tariffed customer, contrary to Decision 64360. Also, please keep in mind that as a part of the LOU proposal, included in the 171 million plus discounted gallons, they are now proposing that the Talking Rock developer, TRGC "and/or any of its affiliates" be included as eligible for the proposed discounted rate. The amount of water that they are proposing to supply, 40 million plus gallons of groundwater, is in addition to the 130 million plus gallons they are currently using for irrigation of a Private Golf Course, in a Private Gated Community. Personally, I find it outrageous that the ACC, would even consider allowing another contract to be entered into creating yet another non-tariffed arrangement. The ACC must focusing on fixing the numerous problems at hand, and order the ICRWUA Board to follow Decision 64360 to the letter, returning to complete compliance with Decision 64360.

I also found the structure of the meeting a grave concern. It was insulting that a great majority of the meeting was wasted reading aloud something that I have to believe most people were fully capable of reading for themselves. I imagine that most people had done their homework and had read the documents (LOU and string of Board communications) before arriving for the meeting. Many attending expressed distress with the entire situation. I challenge the ICRWUA Board on their process for requesting people to fill out a vague and ambiguous survey without having answered the vast majority of questions that had been submitted to them, "in writing," as they had requested. How does a person fill out any survey before a Q&A session is completed? I can only hope that the ACC Commissioners had a silent representative present.

As for the few questions that were read aloud, out of what appeared to be possibly hundreds that were submitted to the Board, it is my opinion that what answers were given were very poor at best. I have to believe that many of the submitted important questions that deserved to have been answered at the meeting, were quietly brushed aside. I know of a number of questions that I certainly wanted answered in the public forum and felt that if properly answered, would have been helpful for others to understand the issues. It is an interesting fact, that the Board did find time to read aloud one question that related to what was referred to as "a coo attempt" by Dayne Taylor (Intervener) to have the Board removed, and then had Dayne Taylor respond. I felt that was completely uncalled for. Certainly there were far more important questions to have read aloud and be answered than something so foolish. Personally, I am outraged at the lack of attention paid to the questions provided to the ICRWUA Board of Directors.

The ICRWUA Board also indicated that the questions would all be answered by their attorney and the answers would be mailed back to all members. This shall be another extravagant waste of valuable time and membership funds.

Many presented the question, "what are we going to do to stop this mess?" If I recall correctly, Commissioner Mayes has offered, that if we felt it necessary, she would bring herself and her colleagues to Prescott to meet with us in an open forum. Personally, I think without your intervention, this entire mess is simply going to drag on and on. This has to be stopped! I encourage Commissioner Mayes and any or all of you to please intervene

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in this desperate situation.

Larry Bligh has volunteered to coordinate arrangements for a public meeting place, etc., should Commissioner Mayes and any colleagues want to arrange for a meeting. [REDACTED]

Thank you,

Charles F. Turney

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

6/17

Customer response to association letters docketed on 6/6/08 and the Letter of Understanding.  
Customer was previously advised on viewing eDocket and website for Special Open Meeting information.  
Called customer to acknowledge receipt of his correspondence.

\*End of Comments\*

**Date Completed: 6/17/2008**

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