

W-02824A-07-0388



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ORIGINAL

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM RECEIVED

470

Investigator: Trish Meeter

Phone: [REDACTED] JUL 10 A FAX: [REDACTED]

Priority: Respond Within Five Days

AZ CORP COMMISSION
DOCKET CONTROL

Opinion No. 2008 69888

Date: 7/8/2008

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

First: Last:

Complaint By: Jerome Reid

Account Name: Jerome Reid

Home: (000) 000-0000

Street: [REDACTED]

Work:

City: Prescott

CBR:

State: AZ Zip: 86305

is:

Utility Company: ICR Water Users Association

Division: Water

Contact Name: [REDACTED]

Contact Phone: [REDACTED]

Nature of Complaint:

From: Jerome Reid [mailto:[REDACTED]]
Sent: Tuesday, July 08, 2008 7:25 AM
To: Mundell-Web; Mayes-WebEmail; Pierce-Web; Hatch-WebEmail; Gleason-WebEmail
Subject: Docket No. W-02824A-07-0388; ICR Water Users Association
Importance: High

Arizona Corporation Commission
DOCKETED

JUL 10 2008

Chairman Gleason and Commissioners Mayes, Mundell, Hatch-Miller, and Pierce:

DOCKETED BY [Signature]

I am forwarding the emails below to demonstrate to you that the interests of the resident-owners of the ICR Water Users Association ("Company") are not being served by the current Board of Directors ("Board"). Furthermore, the current Board is unnecessarily incurring legal and accounting fees in an attempt to circumvent the authority and Order 64360 of the Commission. This activity, which does absolutely nothing to further the interests of the resident-owners, may very well drive the Company to bankruptcy.

The Board held a meeting on June 3 to present the "LOU", but has essentially disappeared since then. The President of the Board, Earl Cummings, said at the June 3 meeting that all questions submitted in writing would be answered in writing and mailed to all the resident-owners. That has not happened. The Board also conducted a "survey" regarding the LOU at the June 3 meeting, but has yet to divulge what, if anything, that survey showed. In fact, one Board member stated: "IN MY OPINION, IF THE RESULTS OF THE SURVEY ARE BENEFICIAL TO THE MEMBERS OF THE ASSOCIATION THEY WILL BE PUBLISHED AND MADE AVAILIABLE TO ALL INTERESTED MEMBERS." When asked how the determination of "beneficial to the members of the association" would be made, there was no response.

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Judge Stern ordered the Board, Talking Rock Golf Club, Dayne Taylor, and the resident-owners to reach an agreement resolving all the open issues in the rate case, including compliance with Commission Order 64360. The Board, disproportionately represented by residents of Talking Rock Ranch, has failed to do what Judge Stern directed and has refused to communicate with interested resident-owners regarding the status of their efforts, if any, to resolve the open issues. The Company falls further into debt with every passing day due to the Board's irresponsible conduct in failing to resolve the open issues in the rate case.

The Board finds no problem in canceling regularly scheduled monthly Board meetings at the last minute and conducts routine business (electing a new Board President) in "emergency meetings". The Board clearly does not understand or is willfully disregarding the true urgency in this case, which is to resolve the open issues and stop expending scarce financial resources unnecessarily. This Board is clearly failing in its obligation to responsibly manage the affairs of the Company and should be removed.

I again request that something be done to stop the current Board's irresponsible approach to the Company's business affairs and its ill-advised expenditure of the Company's assets in an effort to, once again, circumvent the Commission's authority and standing Order 64360. The rate case was originally filed over a year ago and needs to be brought to a conclusion. We seek your assistance in concluding this matter and ending the flagrantly irresponsible behavior by the current Board of Directors.

Respectfully submitted,

Jerome Reid

13755 N. Standing Bear Trail

Prescott, AZ 86305

From: Hal [mailto:████████████████████]
Sent: Monday, July 07, 2008 10:31 PM
To: Jerome Reid; 'Larry & Tina BLIGH'; 'Earl Cummings '; 'Hugh Pryor'; 'Shirley A. Lilien'; 'William Meyer'; 'Robert Busch'
Cc: 'Chris Stoner'; 'Craig & Sandi Brown'; 'Dan Peterson'; 'Dayne Taylor'; 'Jimmy Stoner'; 'Gene Leasure'
Subject: Re: ICR Water Users Assn.

FYI

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1. There is only one item on the agenda for this emergency meeting...the Board will elect a president.

2. There will be a regular meeting later in the month. (7/22 where Skip's questions can be addressed.)

3. Agendas are always posted on the door of the ICR sales office.

From: Jimmy Stoner [mailto: [REDACTED]]
Sent: Monday, July 07, 2008 7:29 PM
To: 'Hal'; 'Earl Cummings '; 'Hugh Pryor'; 'Shirley A. Lilien'; 'William Meyer'
Cc: Jerome Reid; 'Larry & Tina BLIGH'; 'Robert Busch'; 'Chris Stoner'; 'Craig & Sandi Brown'; 'Dan Peterson'; 'Dayne Taylor'; 'Gene Leasure'; Jimmy Stoner
Subject: Re: ICR Water Users Assn.

ICR Board,

I don't care who draws the short straw, so to speak, to answer Mr. Reid's reasonable request, but, one of you step up and provide and informed answer.

Is there going to be a meaningful meeting on Thursday, 10 July, 2008?

Thank You,
Jimmy Stoner

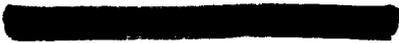
From: Jerome Reid [mailto: [REDACTED]]
Sent: Saturday, July 05, 2008 10:09 AM
To: 'Hal'; 'Larry & Tina BLIGH'; 'Earl Cummings '; 'Hugh Pryor'; 'Shirley A. Lilien'; 'William Meyer'; 'Robert Busch'
Cc: 'Chris Stoner'; 'Craig & Sandi Brown'; 'Dan Peterson'; 'Dayne Taylor'; 'Jimmy Stoner'; 'Gene Leasure'
Subject: RE: ICR Water Users Assn.
Importance: High

Mr. Lobaugh:

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After discussing the announcement you sent out this morning with several of the recipients, the question we have for you is why not have a regular Board meeting, especially since the June 24 meeting was cancelled at the last minute? At this meeting the Board could share information with interested members in attendance. That information could include what the Board has been doing to resolve the open issues in the rate case, why there is a change of President at this time, what the results of the June 3 "survey" were, what has happened to the written answers to all the questions submitted at the June 3 meeting, and what the Board sees as the next step in finalizing the rate case.

I would appreciate your timely response so that if there is going to be a meeting, that can be communicated to the residents in time for them to make plans to attend if they are interested.

Jerome Reid


From: Hal [mailto:
Sent: Saturday, July 05, 2008 7:21 AM
To: Larry & Tina BLIGH; Skip Reid; Earl Cummings ; Hugh Pryor; Shirley A. Lilien; William Meyer; Robert Busch
Cc: Chris Stoner; Craig & Sandi Brown; Dan Peterson; Dayne Taylor; Skip Reid; Jimmy Stoner; Gene Leasure
Subject: Re: ICR Water Users Assn.

Subject: ICR Water Users Assn.

To the Members of the Board:

ALL, for your information

It has now been over 2 weeks since the June 3 Member Meeting at Abia Judd, where Mr. Cummings said answers to all questions submitted would be prepared and mailed out to the Member/Owners. Do you still intend to do so and, if so, when? YES, IN THE NEAR FUTURE.

In addition, you distributed what you characterized as a "survey" to all attendees of the June 3 meeting. Do you plan to publish the results of that survey and, if so, when? For what, if any, purpose do you plan to use the "survey"? IN MY OPINION, IF THE RESULTS OF THE SURVEY ARE BENEFICIAL TO THE MEMBERS

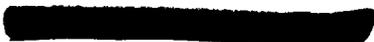
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OF THE ASSOCIATION

THEY WILL BE PUBLISHED AND MADE AVAILABLE TO ALL INTERESTED MEMBERS. . I AM NOT PART OF "CHARACTERIZED" SURVEY, I KNOW THE COMMITTEE HAS BEEN REVIEWING THE QUESTIONS, I DO NOT KNOW THE DATE OF COMPLETION.

I would like to request on behalf of those copied on this email an electronic copy of the Agenda for the regularly scheduled Board Meeting next Tuesday. In addition, please indicate if the regularly scheduled Board meeting has been cancelled or rescheduled. THERE WILL NOT BE A BOARD MEETING ON TUESDAY, JUNE 24th. THREE OF THE FIVE BOARD MEMBERS ARE OUT OF TOWN AND WILL NOT RETURN UNTIL THE END OF NEXT WEEK. THREE BOARD MEMBERS ARE REQUIRED TO HAVE A QUORUM AND CONDUCT ICR BUSINESS.

Jerome "Skip" Reid



REGARDS,

HAL LOBAUGH
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Date Completed: 7/9/2008

Opinion No. 2008 - 69888
