

W-02824A-07-0388



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ORIGINAL

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

RECEIVED

4700

Investigator: Trish Meeter

Phone: [REDACTED]

2008 AUG 19 11: 31

Fax: [REDACTED]

Priority: Respond Within Five Days

AZ CORP COMMISSION  
DOCKET CONTROL

Opinion No. 2008 70817

Date: 8/18/2008

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

First:

Last:

Complaint By: Frank Clara

Account Name: Frank Clara and miscellaneous comments

Home: (000) 000-0000

Street: n/a

Work:

City: n/a

CBR:

State: AZ Zip: n/a

is:

Utility Company: ICR Water Users Association

Division: Water

Contact Name: [REDACTED]

Contact Phone: [REDACTED]

Nature of Complaint:

8/18

From: LOUISE FRANK CLARA [REDACTED]

Sent: Friday, August 15, 2008 5:40 PM

To: Mayes-WebEmail; Mundell-Web; Hatch-WebEmail; Pierce-Web; Gleason-WebEmail

Subject: Fw: ICRWUA - Petition - Again

I am a homeowner as well as share holder in this company?? (monopoly, dictatorship, clandestine operation) whatever it is supposed to be. My only knowledge of where, what, when of our status comes from a few neighbors. I have NO idea what Mr. Pryor (petition's) is in concern with. Evidently not ALL share holders are privy to the boards action. I certainly receive a water bill, why not what ever documents, or information Mr. Pryor, is eluding too? Why is the board still wasting our time and money, without closure too Decision 64360?

Thank you for your time.

Frank Clara

----- Original Message -----

From: Larry & Tina BLIGH

ICR Friends & Neighbors,

I have to assume that most, if not all of you received the e-mail correspondence from our new ICRWUA President Hugh Pryor related to a petition that our Board has become involved with. I just thought that I would make public my comments back to Mr. Pryor on this subject. A copy of my correspondence with Mr. Pryor is attached below.

As always, thank you for your time and should you have any questions, please feel free to call me at

Arizona Corporation Commission  
DOCKETED

AUG 19 2008

DOCKETED BY [Signature]

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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[REDACTED]

Larry Bligh

----- Original Message -----

From: Larry & Tina BLIGH

To: Hugh Pryor

Sent: Thursday, August 14, 2008 4:57 PM

Subject: Re: Petition - Again

Mr. Pryor,

While I guess I shouldn't be surprised, the Board's actions never cease to amaze me. The idea that the Board would take this course of action is appalling. Even the petition manages to lead people astray and your cover letter is almost an insult.

As for your cover letter, whichever version you choose, your statement that "we are also aware that there are members who oppose the position that the Board has taken and we respect their right to do so," is ever so gracious. You are aware of one small item called the U.S. Constitution and its First Amendment? So, I guess your gracious blessing of people having a right to voice their opinion really isn't necessary. Maybe you are referring to communications shared with everyone (including the ACC) where certain Board members have let their true colors show related to their allegiance to Talking Rock and not representing the ownership as a whole?

I might suggest that you take the time to study the ACC's Rate Case process. The petition somehow suggests that since, to put it in the words of the petition, "we recognize that the Association has not had a rate increase in its history, and we support a reasonable rate increase in an amount to be determined by the Commission in the above-referenced docket," itself somehow justifies a rate increase. I don't believe that you will find anywhere in the Rate Case process that the amount of time since a rate increase is a factor in determining the need for an increase. The Rate Case process is very straightforward. The ACC reviews expenses in the test year data, applies an approved rate of return, and if necessary, approves a new rate. Where the issue is in this case, is the fact that ICRWUA has not been in compliance with Decision 64360, and such was served with the notice of non-compliance. This notice, along with other irregularities in the operation is what seems to be causing the Board their grief. Now, at least speaking for myself, as I have said in written communications to the ACC and in public comment at the Hearing, I for one do not oppose a reasonable rate increase. However, I will work to see that all aspects of 64360 are adhered to and the atrocities of the relationship between ICRWUA and the for-profit developer at Talking Rock are rectified.

Larry Bligh

----- Original Message -----

From: Hugh Pryor

To: Hugh Pryor

Sent: Thursday, August 14, 2008 9:19 AM

Subject: Petition - Again

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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When I sent this memo late last night I used a poor choice of words to describe what was going on. Yes, it was late and I had spent all day in Phoenix on business and was quite tired but still, that is no excuse and I apologize to anyone who may have been misled.

Hugh

The message should have read:

The ICRWUA Board is aware and supportive of the fact that the attached Petition of support for the Board and the approach being taken in the Rate Case is being circulated for signatures. If you wish to sign the Petition, it is your choice to do so. If you choose to, please sign and fax your copy of the Petition to [REDACTED]

The Board is appreciative of the support being offered by members. We are also aware that there are members who oppose the position that the Board has taken and we respect their right to do so.

Whatever your position, we urge you to provide input to the Board at any time. Although we may not provide answers to individual messages, we will provide answers to issues that are representative of the general questions/issues that we receive in an appropriate forum; for example on our web site. [www.icrwua.com](http://www.icrwua.com)

We continue to be appreciative of your input and guidance.

ICRWUA Board

SECOND EMAIL STRING RECEIVED:

From: LOUISE FRANK CLARA [REDACTED]  
Sent: Saturday, August 16, 2008 9:14 AM  
To: Mayes-WebEmail; Mundell-Web; Hatch-WebEmail; Pierce-Web; Gleason-WebEmail  
Subject: Fw: ICRWUA - Petition vs Non-Compliance

Keeping you informed, on the pulse of the community.

Thank you.

Frank Clara  
----- Original Message -----

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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From: Jimmy Stoner  
To: Larry & Tina Bligh

Sent: Saturday, August 16, 2008 8:24 AM  
Subject: Re: ICRWUA - Petition vs Non-Compliance

Hi Larry and Tina,

We agree with Roger Stock - Thank you for keeping the community informed!!  
You've done a great job informing the resident/owners of lots of the other actions/tactics employed by the Board.

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All Resident/Owners,  
First, Rate Increase.

Larry was right-on; the actual test year data and ACC policy determines the Rates!!  
- The Board asked for a rate increase of approx. \$10.38 /month for the average customer.  
- The Az Corporation Commission Staff recommends a \$1.47 /month Decrease, and TRGC pay tariff rates!!

I would like to expand briefly on the present Issues.  
Key comments in Larry's e-mail - - - ICRWUA was issued a notice of Non-Compliance with Decision 64360 by the ACC!!  
The Company has been in Non-Compliance since 15 January, 2002. They never achieved Compliance!!

The Board has been running up legal bills negotiating with Harvard/TRGC, with several LOU versions, holding the June meeting, not answering our questions, won't discuss details. No apparent progress on a workable agreement?

Now, the Board initiates and covertly circulates a Petition attempting to get selected people to say they are doing a good job?  
They get caught secretly circulating the petition and now come clean by publishing it. Blaming others for issues??  
They want a pat on the back for doing a good job, incurring legal fees headed over \$200K, and, the clock is still running?  
They are trying to get "You" to sign up for their expensive actions. How can any of us sign up?  
Are they visibly closer to full compliance with Decision 64360? If they are, then I encourage them to show us!  
Do you really want to sign a Petition saying they wisely spent all this money on legal expenses? You'll pay off the debt!  
Do you agree to a rate increase when the ACC Staff recommends a decrease for residential customers?

Larry's, and other's, earlier e-mails over the past 6 months provided greater details on all of this.  
There's lot of informaiton on e-docket. We can help you get to it.  
If you want to discuss in detail, perhaps we can set up a meeting?  
Just let any of us know.

Regards, Chris and Jimmy Stoner  


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Larry & Tina BLIGH wrote:

ICR Friends & Neighbors,

I have to assume that most, if not all of you received the e-mail correspondence from our new ICRWUA

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President Hugh Pryor related to a petition that our Board has become involved with. I just thought that I would make public my comments back to Mr. Pryor on this subject. A copy of my correspondence with Mr. Pryor is attached below.

As always, thank you for your time and should you have any questions, please feel free to call me at

[REDACTED]  
Larry Bligh  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Docketed 8/18  
\*End of Comments\*

**Date Completed: 8/18/2008**

**Opinion No. 2008 - 70817**

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