

**ORIGINAL**



Patty Berry  
8332 N 16<sup>th</sup> Street  
Phoenix, Az 85020

October 8, 2008

Arizona Corporation Commission  
Water Utilities Division  
1200 W Washington  
Phoenix, Arizona 85007

Docket W-01865A-07-0384/Docket W-01865A-07-0385

Recommendation of administrative Law Judge Yvette B. Kinsey . The following exceptions are being made : Page 7 ,#22. an update to the number opposed to the rate increase, there being <sup>74</sup>at this time ,copies of petition's attached , petition also addresses the fact that the Corporation By Laws that are in place states on page.5, section 3.3 Membership approval of Extraordinary Expenses: An extraordinary expense for the purpose of these bylaws shall be any expense in excess of Twenty Thousand Dollars (\$20,000.00) . An affirmative vote of the majority of the members voting shall be required prior to adoption of any extraordinary expense greater than \$20,000.00 and prior to any pro-rata assessment upon the membership to meet such financial obligation. Page 5. Section 3.4 . The membership must be given the opportunity to vote by mail-in ballot. We request that all ballot's be counted by a neutral party.

Page 9. #33.a break in the transite asbestos pipe would only pose a health problem if you breath in the fibers and it is not possible to breath in the water. Our water is tested by ADEQ and no asbestos ever reported. There has already been 40% of the asbestos lines replaced with plastic.

Page 18. #70. The 50.00 is an excessive amount there are a large number elderly residents living on a fixed in-come trying to pay their medical and other living expense's and this would put a greater burden on them we ask that you allow at least 1500 gallons if this amount is approved.

We the following interveners appeal to this Commission to not approve this financing and rate increase until the Corporation By Laws have been followed.

This is a continuation of the original intervention by the following people. Address and signature on file.

Johnathan Hoover  
John and Marian Cree  
Mary Turbyfill  
Robert Schultz  
Donald Muller

Arizona Corporation Commission  
DOCKETED

10/08/08

AL CORP COMMISSION  
DOCKET CONTROL

2008 OCT -9 A 11: 37

RECEIVED

2-14

## Groom Creek Water Users Association Finance Request / Proposed Rate Increase Petition.

We, the undersigned owners of affected properties, do hereby petition the Groom Creek Water Users Association Board of Directors from financing for \$1,574,509. or the ACC recommendation of \$1800000.00 for water main replacement to be placed on hold until further financing options and all affected property owners have had the chance to vote on the proposed rate increases and repairs per the bylaws that are in place regarding expenses and repairs above \$20,000.00.

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- Groom Creek Estates #1. 5/29/70. Groom Creek Estates #2 . 5/29/70.

### OWNERS OF AFFECTED PROPERTIES.

| <u>DATE.</u> | <u>Printed name.</u>  | <u>Signature</u>         | <u>Property Address.</u> |
|--------------|-----------------------|--------------------------|--------------------------|
| 9/6/08       | JoAnne Carr           | <i>JoAnne Carr</i>       | 1128 Elk Trail           |
| 9/6/08       | Sarah Edwards         | <i>Sarah Edwards</i>     | 1101 Elk Trail           |
| 9/6/08       | HENRY J. MACY JR.     | <i>Henry J. Macy Jr.</i> | 1102 E. WALTON DR        |
| 9/6/08       | Michelle Macy         | <i>Michelle Macy</i>     | 1103 Walton Drive        |
| 9-7-08       | David Brown           | <i>David Brown</i>       | 1161 ELK TRAIL           |
| 9-7-08       | Drew Mumford          | <i>Drew Mumford</i>      | 4092 S Stagecoach        |
| 9-7-08       | John W. Miller        | <i>John W. Miller</i>    | 1114 Walton Dr           |
| 9-7-08       | JUANITA MILLER        | <i>Juanita Miller</i>    | 1114 WALTON DR           |
| 9-7-08       | TRACY SHADDE          | <i>Tracy Shadde</i>      | 1141 EVANES DR           |
| 9-14-08      | ARLINE MCKEEFEE       | <i>Arline McKeeFee</i>   | 4219 MARAPA              |
| 9/14/08      | Patrick <del>Mc</del> | <i>Gregory Patten</i>    | 1166 Stagecoach          |
| 9-14-08      | JOANNA GREGORY        | <i>Joanna Gregory</i>    | 1222 E. Stagecoach       |

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*Sam Elkh*

Date 9/7/08

X

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|-------------|---------------------|-----------------------|-------------------------|
| 8/22/08     | Lola Dana           | <i>Lola Dana</i>      | 1341 Stagecoach         |
| 8/24/08     | W. CURTIS DANA      | <i>W. Curtis Dana</i> |                         |
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|--------------|---------------------------|------------------|--------------------------|
| 9/12/08      | Roberts/ Stephanie Enders | S Enders         | 1176 E. Manapa           |
| 10/2/08      | Carol P. King             | Carol P. King    | 1137 E. Hill             |
| 10/9/08      | Kathryn Thompson          |                  | 4161 St. Adeline Drive   |
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Stephanie Enders \_\_\_\_\_ Date 9/17/08

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|--------------|----------------------|-------------------|---|
| 8/18/08      | Ron Remy             | Ron Remy          | 23439 N. 43 <sup>rd</sup> Dr.<br>Glendale, AZ 85310 |
|              |                      |                   | 4066 Moose Trl.<br>Prescott, AZ 86303               |
|              | (623) 210-1409       |                   |   |
| 8/25/08      | Elizabeth Schultz    | Elizabeth Schultz | 1406 E. Farill Dr<br>Phx 85014                      |
|              |                      |                   | 1121 Stagecoach<br>Prescott 86303                   |

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|--------------|----------------------|--------------------------|--------------------------|
| 8/27/08      | JONATHAN S. HOORN    | <i>J. S. Hoorn</i>       | 992 E. BENNETT TRAIL     |
| 8/30/08      | ROBERT M. SCHULZ     | <i>Robert M. Schulz</i>  | 1075 E. WAGON WHEEL DR.  |
| 9/29/08      | CYNTHIA ANN POWELL   | <i>C. Powell</i>         | 1130 E. SANDY DRIVE      |
| 9-29/08      | Herschel C Powell    | <i>Herschel C Powell</i> | 11 11 11                 |
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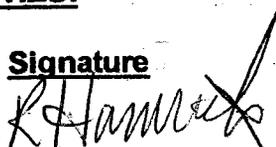
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|--------------|----------------------|---|--|
| 10-6-08      | Richard HAMRICK      |  | 1474 E Silver King<br>GROOM CREEK, Circle<br>Prescott AZ |

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|---------------|----------------------|-----------------------|---------------------------------------|
| Sept. 3, 2008 | Patricia Laney       | <i>Patricia Laney</i> | 54 & 55 Stage Coach Rd                |
| Sep 3, 2008   | Grant Laney          | <i>Grant Laney</i>    | 54 & 55 Stage Coach Rd<br>1171 & 1179 |
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|--------------|-------------------------|--------------------|--------------------------|
| 9-1-08       | Dr. Larry R. Taintor    | <i>[Signature]</i> | 4405 Spurlane            |
| 9-01-08      | Mrs. Vickie L. Taintor  | <i>[Signature]</i> | 4405 Spurlane            |
| 9-1-08       | Donald P. Miller        | <i>[Signature]</i> | 4241 S. SPURLANE         |
| Sept 1-08    | General Patricia Miller | <i>[Signature]</i> | 44915 Spurlane           |
| 1-08         | MIAN LOBASKY            | <i>[Signature]</i> | 4445 South Spurlane      |
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|----------------|----------------------|------------------------|---------------------------|
| AUGUST 26 2008 | MARTIN NEDOM         | <i>Martin Nedom</i>    |                           |
| Aug. 26, 2008  | Randi Lee Nedom      | <i>Randi Lee Nedom</i> | 1120 E. WAGON WHEEL DRIVE |
|                |                      | <i>Randi Lee Nedom</i> | same address              |
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*[Large handwritten flourish or signature]*

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|--------------|-----------------------------|--------------------------|---|
| SEP. 2, 2008 | PAMELA A. FORSTER           | <i>Pamela A. Forster</i> | 1181 WAGON WHEEL DRIVE                              |
| SEPT 2, 08   | SIMP FORSTER<br>(C JAMES W) | <i>James W Forster</i>   | (GROOM CREEK, PLAT D) ONA<br>1181 WAGON WHEEL DRIVE |
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|--------------|----------------------|----------------------------|--------------------------|
| 8/24/08      | JOAN E WAMPLER       | <i>Joan E. Wampler</i>     | 1125 Stag coach          |
| 9/18/08      | DAVID L TURBYFILL    | <i>David L Turbyfill</i>   | 7 Pleasant Hill          |
| 9/29/08      | Colleen D Turbyfill  | <i>Colleen D Turbyfill</i> | 4152 STAGE COACH         |
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We, the undersigned owners of affected properties, do hereby petition the Groom Creek Water Users Association Board of Directors from financing for \$1,574,509. or the ACC recommendation of \$1800000.00 for water main replacement to be placed on hold until further financing options and all affected property owners have had the chance to vote on the proposed rate increases and repairs per the bylaws that are in place regarding expenses and repairs above \$20,000.00.

There is a total 18,850 feet of pipe ( paved roads included ) The GCWUA Board of Directors submitted cost cost estimates for replacement of 20,300 feet. The GCWUA Board of Directors stated the transite pipes are are over 50 years old and are failing and causing numerous leaks.

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Groom Creek Pines Plat C. 6/14/62. Groom Creek Pines Plat D. 8/23/67.  
Groom Creek Estates #1. 5/29/70. Groom Creek Estates #2 . 5/29/70.

**OWNERS OF AFFECTED PROPERTIES.**

| <u>DATE.</u> | <u>Printed name.</u>  | <u>Signature</u>                           | <u>Property Address.</u>  |
|--------------|-----------------------|--|---------------------------|
| 8-24-08      | KENNETH & DELIA PESTO | <i>Kenneth Pesto</i><br><i>Delia Pesto</i> | 1133 STAGECOACH           |
| 9/17/08      | Mark Colicostini      | <i>Mark Colicostini</i>                    | 1173 ELVA TRAIL           |
| 9/17/08      | MARIAN L. CREE        | <i>Marian L. Cree</i>                      | 1016 E. WAGON WHEEL DRIVE |
| 9/17/08      | JOHN S. CREE          | <i>John S. Cree</i>                        | 1016 E. WAGON WHEEL DRIVE |
| 9/17/08      | Betty Unkrich         | <i>Betty Unkrich</i>                       | 1262 Wagon Wheel Dr.      |
| 9/17/08      | Susan Makrover        | <i>Susan Makrover</i>                      | 1025 Stagecoach           |
| 9/18/08      | Virginia Swindle      | <i>Virginia Swindle</i>                    | 1126 E. Stagecoach Rd     |
| 9/18/08      | JOHN WHITLEY          | <i>John Whitley</i>                        | 1137 E Stagecoach Rd      |
| 9/12/08      | Melissa Kaluhikalanii | <i>Melissa Kaluhikalanii</i>               | 4050 Moore Trail          |
| 9/13/08      | Misty Palumbo         | <i>Misty Palumbo</i>                       | 1181 E. Moore Rd          |
| 9/14/2008    | Mary C. Ross Collis   | <i>Mary C. Ross Collis</i>                 | 1307 Silver King Circle   |

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Date \_\_\_\_\_



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|--------------|----------------------|-------------------------|--------------------------|
| 10-6-08      | Ben Levato           | <i>Ben Levato</i>       | 1140 Elk Trail           |
| 10/7/08      | Pete Edwards         | <i>Pete N Edwards</i>   | 1161 Elk Trail           |
| 10/7/8       | BARBARA THIELS       | <i>Barbara Thiels</i>   | 1096 ELK TRAIL           |
| 10/7/08      | BROOKE WAKEFIELD     | <i>Brooke Wakefield</i> | 1306 wagon wheel dr      |
| 10/7/08      | LUKE WAKEFIELD       | <i>Luke Wakefield</i>   | 1306 wagon wheel dr      |
| 10/7/08      | Betty Unkrich        | <i>Betty Unkrich</i>    | 1262 Wagonwheel Dr       |
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Date 10/7/08

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| <u>DATE.</u> | <u>Printed name.</u> | <u>Signature</u>     | <u>Property Address.</u> |
|--------------|----------------------|----------------------|--------------------------|
| 10-1-08      | Donna Biser          | <i>Donna Biser</i>   | 1164 Elk Trail           |
| 10-1-08      | Charles Biser        | <i>Charles Biser</i> | 1164 Elk Trail           |
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*Paula Biser*

Date 10-7-08

①-18

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|--------------|-----------------------------------|----------------------------|--------------------------|
| 3/19/08      | Nona Lou Ann Earst + Nona Lou Ann | <i>Nona Lou Ann Earst</i>  | 1169 W. Hill             |
| 8/21/08      | Mary E. Turbyfill                 | <i>Mary E. Turbyfill</i>   | 4168 Stagecoach Rd       |
| 8/22/08      | FAWN L. HILLER                    | <i>Fawn L. Hiller</i>      | 1223 Wagon Wheel Dr      |
| 8/22/08      | JAMES T HILLER                    | <i>James T Hiller</i>      | 1223 E Wagon Wheel Dr    |
| 8/22/08      | ARTHUR SUMMERS                    | <i>Arthur Summers</i>      | 4185 S. COBURN DR        |
| 8/24/08      | BEVERLY SUMMERS                   | <i>Beverly Summers</i>     | 4185 S. COBURN DR        |
| 8/24/08      | Shirley Fishel                    | <i>Shirley Fishel</i>      | 4066 S. Adeline Dr.      |
| 8/29/08      | PATY BEARY                        | <i>Paty Beary</i>          | 1169 - MARIPOSA          |
| 8-29-08      | Belard Kalehikalaki               | <i>Belard Kalehikalaki</i> | 4050 MOOSE TRAIL         |
| 8-29-08      | Kim Kuintkowski                   | <i>Kim Kuintkowski</i>     | 1033 WAGON WHEEL         |
| 9-5-08       | SHARON MALOLEY                    | <i>Sharon Maloley</i>      | 1212 Elk Trail           |
| 9-29-08      | FRANK M. CAGANICH                 | <i>Frank M. Caganich</i>   | 4145 S. ADELINE          |
| 9-29-08      | JOE LUPO                          | <i>Joe Lupo</i>            | 4166 ADELINE             |

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|--------------|----------------------|--------------------|--------------------------|
| 10/5         | Day McDonald         | <i>[Signature]</i> | 4418 Saw Ln.             |
| 10/5         | Harold M etc         | <i>[Signature]</i> | 1142 S Stagecoach        |
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