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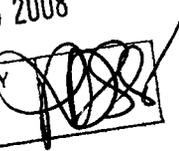
Ms. Joy Muzic
10313 Felson St.
Bellflower, Ca. 90706
(562)756-0013

Arizona Corporation Commission:
Mike Gleason: Chairman
Kristin K. Mayes
William Mendel
Jeff Hatch-Miller
Gary Miller
Judge Hardling

1200 West Washington
Phoenix, Arizona 85007

Arizona Corporation Commission
DOCKETED

OCT 20 2008

DOCKETED BY 

018468-

RE: Docket #E-01345A-07-0663 & T-~~01345A-07-0663~~

RECEIVED
2008 OCT 20 P 2:08
AZ CORP COMMISSION
DOCKET CONTROL

Dear Judge Hardling & Commissioners:

I would like to bring to your attention the five requests that were given to the Hillcrest Bay Homeowners Association to assist with the decision for underground utilities by Arizona Public Service and Verizon.

I and many other home owners of Hillcrest Bay believe that the information has been gathered in a bias manner in favor of underground utilities.

Number One: The survey that was sent to the home owners in our opinion should have been a simple request of "Yes" or "No" vote either for or against the underground utilities as was requested. Instead the Board (7 in favor-2 opposed) and Mr. John Sears the Chairman of the Underground Utilities, placed a small statement saying "The removal of the overhead wires and telephone poles and relocating the utility system underground)" after I SUPPORT THE UCSA*, and "(Leaving the existing utility system AS IS and allowing 42 additional poles added to the streets of Hillcrest Bay)" after I OPPOSE THE UCSA*. This in my and many others opinion is a scare tactic. The survey is also being conducted by Mr. John Sears and the Board which are bias in favor of the project.

Number two: The commission requested that **all** cost of the underground utilities be known, and as this letter is being written, that still has not been confirmed. Mr. D.L.

Wilson of APS, stated, after 3 phone calls to him, made by MS. Joy Muzic that the 3 lots proposed to be left out of this project was to try to meet the request of the commission to have an option to lower the cost. Yes, this would lower the cost for those who own those lots but would not alleviate the cost for any one else that owns lots in Hillcrest Bay. Also the board is setting aside monies to pay for the three lots that Hillcrest Bay Inc. owns, two of which Mr. Wilson stated to me was \$9000. And the other was higher. This was not voted on by the Hillcrest Bay Homeowners at all. While Mr. Sears has already sent out this survey and it is reported that 175 home owners have already replied to the survey without this important information. (This information, as of this date, can not be confirmed in writing by the board.) I also have a concern regarding the way in which the petitions were obtained for this project. I have gone to the LA PAZ county assessor's office and requested a copy of the petitions that were given or verification of ownership. I was given (as I paid for them, not the Association) 50 pages of names that were presented. These petitions were signed, many of them in 2005, for the purpose of the county to find the cost of this project. They do not have on file any other petitions that were given to them for verification. Mr. DL Wilson stated that he gave the county the names of the homeowners who were in favor of the project for verification. The county does not have a record of that. I also requested a copy of this petition from Mr. D.L. Wilson of APS, who informed me (after the 3 phone calls) that I could go to the Az. Commission docket and on page 20 find this information. On these names, I found that there is a list of names that had received by registered mail information and on the last page a list of names of the service list. This is not the petitions, as far as I know that listed the names of those for or against this proposal. My concern is this, The County did not verify signatures, only that the names were owners and I cannot get a list of the petitions that was signed in favor of this project. This brings to mind the legitimacy of this at all. I am not making an accusation, just wanting to make sure that everything is legitimate. Since my name was on the county petition (which I signed) just to find out the cost and was also on the documents presented to the commission. Also in a letter written by Mr. John Sears stated that the 3rd petition was validated by La Paz County. They do not have a record of these petitions.

Some of us have sent letters opposing the underground Utilities, but do not feel it was in time to prevent the way and bias manner this new survey was presented to the Hillcrest community since it was well before other information required was sent to the community... It would be like having an election of electoral candidates, and voting on them without knowing all the issues, and then the issues sent out after the election.

Number Three: The commission also requested that a plan to help the homeowners who may need financial assistance. Mr. Sears states he has a commitment of \$15,000 from different homeowners to assist those in need. To my knowledge, the criteria has not been established nor an unbiased committee to access this whole process. I truly admire those individuals that want to help thy neighbor in this manner. Mr. Sears has also talked to the developer who will be doing the trenching, and the developer has offered to do this work for free for 5 properties on the money out of pocket to the homeowner. Again I believe this to be very kind and if this proposal passes, it will be greatly appreciated. Still again there have not been criteria established for the assessment.

The problem with this is; the monthly payment will still be owed, and for some the payment of 200 to 300 dollars will still be owed per month, not including the actual utility costs. Another issue, is at our annual meeting, held September 27th, 2008, it was stated that the board would determine who would actually get the assistance and who would not. To be unbiased, it is the opinion of many of the home owners that this should be assessed by some other organization not associated with the HOA. It has already been stated that any investor in Hillcrest Bay will be excluded, **which means what? Does this include second home owners of property?** If anyone that may need assistance, it may be someone that has invested at Hillcrest Bay in the last year or so and has lost all of their deposit down on the property, due to the lost equity, and works in an industry that has fallen and cannot make a living anymore due to today's economic problems.

As for the poles being placed in Hillcrest Bay, the only time that any kind of layout of poles was presented to the Homeowners was in 2005 by D.L. Wilson and this was just a preliminary layout. No one other than Mr. Sears and possibly some of the board has seen this layout. Mr. Sears does speak of the 42 poles, (one of which is in front of his property with a transformer. I understand that this is an issue with him but should not be imposed on the Homeowners as a whole. As of the September 28, 2008 annual meeting, no alternative action or plan is being looked into. People at the meeting were not being told of new wireless technology, or that Solar will soon become even more affordable. This may be an alternative to where monies need to be spent, to save both energy and money, but instead an absorbent amount of money is being spent for a "luxury" amenity.

The final issue is that these underground utilities should be put to a halt due to possible financial burdens. Our economy is in a tail spin and our condition is worse than when this Committee met in July of 2008. Real Estate is off 30-50%, the stock market has reached all time highs in losses (now up to 33% of many retirement funds gone. The thought of this beautification is just too costly at this time and will cost someone their home or investment.

I have been an original owner in Hillcrest Bay since its inception in 1970 and I have never seen a board spend as much of our hard earned money than has been spent on trying to get this proposal passed. My husband and I have served on this board many times, we spent our own money in the earlier years, just to have electricity on the hill not to have the board and Mr. Sears spend it on this proposal.

I would therefore like you to reconsider all of the alternatives of this project and make a recommendation of "no" for this proposal.

Thank you for your time and consideration in this matter.


MS. Joy Muzic

Attachments enclosed (5)

Attention: Hillcrest Bay Property Owners
Re: Underground Conversion Service Area Petition
Arizona Corporation Commission Docket No E-01345A-07-0663
Docket No T-01846B-07-0663

Hillcrest Bay Mobile Manor, a Subdivision of SE ¼ SE ¼ Section 14, T11N.R18W G&SRB&M,
excluding Lot #1 and Lot #274 of La Paz County, Arizona.

Pursuant to and complying with the Arizona Corporation Commissions Procedural
Order of July 3rd, 2008, ordered by the Honorable Sarah H. Harpring,
Administrative Law Judge

Please check one of the following:

I SUPPORT the UCSA* (The removal of the overhead wires and
telephone poles and relocating the utility system underground).

I OPPOSE the UCSA* (Leaving the existing utility system AS IS and
allowing 42 additional poles added to the streets of Hillcrest Bay).

(Signature)

(Date)

(Print name)

PLEASE return your petition in the
self addressed stamped envelope
A S A P

(Hillcrest address or parcel number)

Thank you,

Underground Utilities Committee

*UCSA = Underground Conversion Service Area

Attention: Hillcrest Bay Property Owners
Underground Conversion Service Area Survey

Arizona Corporation Commission

Docket No E-01345A-07-0663

Docket No T-01846B-07-0663

Hillcrest Bay Mobile Manor, a Subdivision of SE ¼ SE ¼ Section 14, T11N.R18W G&SRB&M, excluding Lot #1 and Lot #274 of La Paz County, Arizona.

As a Hillcrest Bay property owner, please check one of the following:

- Full time resident Vacation home
 Rental Undeveloped
 Developed but vacant

It is the intent of some of your neighbors to make pledges into a fund to help those who have expressed concern in paying for their cost of this project for the long term good of the community. Also, in the spirit of aiding the low income owners of Hillcrest Bay and Pursuant to and complying with the Arizona Corporation Commission's Procedural order dated July 3rd, 2008, ordered by the Honorable Sarah H. Harpring, Administrative Law Judge, please answer the following:

1. Do you consider yourself a low income Hillcrest Bay homeowner?

- YES NO

2. Are you in need of financial assistance to pay for connecting the utilities underground from your meter (point of entry) to your house?

- YES NO

If you checked yes above, you may be required to submit confidential financial documentation to an independent third party as a condition of qualifying for financial assistance for this project. You will be notified, in time, of the next step.

(Signature)

(Date)

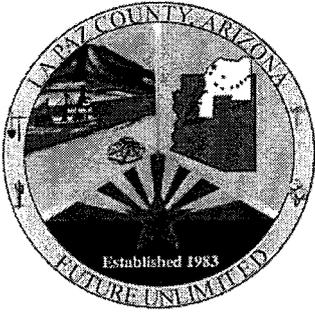
(Print Name)

PLEASE return your survey in the enclosed self-addressed stamped envelope before Monday Aug. 4th

(Address or parcel number)

Thank you,

Underground Utility Committee



George Nault
La Paz County Assessor

1112 Joshua Avenue, Suite 204

Parker, Arizona 85344

Phone (928) 669-6165 Fax (928) 669-9740

MEMORANDUM

TO: DONNA J. HALE, CLERK OF THE BOARD /ELECTIONS DIRECTOR

FROM:  GEORGE NAULT, LA PAZ COUNTY ASSESSOR

RE: PROPERTY OWNER PETITIONS FOR THE HILLCREST BAY
UNDERGROUND UTILITIES DISTRICT.

DATE: FEBRUARY 10, 2006

AFTER REVIEW OF THE PETITIONS PAGES 1 THROUGH 50 OUR FINDINGS
WERE:

THE TOTAL SQUARE FOOTAGE OF THE SUBDIVISION LESS PARCELS 310-32-
001 AND 302-32-276 IS 1,332,324 SQUARE FEET.

THE TOTAL SQUARE FOOTAGE OF THE SIGNER'S IS 775,729 SQUARE FEET.

2 SIGNERS (WHICH EFFECTED 3 PARCELS) WERE REJECTED THEY WERE
NOT THE OWNER OF RECORD. (SEE PAGES 4 AND 43)



George Nault
La Paz County Assessor

1112 Joshua Avenue, Suite 204

Parker, Arizona 85344

Phone (928) 669-6165 Fax (928) 669-9740

September 29, 2008

Re: Hillcrest Bay Underground Utilities District.

To Whom It May Concern:

Our office verified that the name on the petition was a property owner. We do not have the capability of verifying the signature is that of the property owner.

Sincerely,

Sharon Schuler, Chief Deputy
La Paz County Assessor's Office

SRS/srs



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Hillcrest Bay Homeowner's Forum

Hillcrest Bay Homeowners meeting October 20th, 2007

Address: John Sears, Underground Utility Chairman

Good Morning!

Three years ago the Arizona Republic newspaper featured an article about four communities, in the greater Phoenix area, who had elected to pay to remove their overhead utilities and enhance their communities by putting in new underground systems.

Mindful then, as we are today, of our aging and dangerous overhead system. [Our 30 year old wooden telephone poles, now falling into the streets, and the maze of clustered power and phone lines over our homes, our streets and ourselves], we wondered if Hillcrest Bay could make this same improvement.

So we asked ourselves this question:

What would it take for the owners of Hillcrest Bay to completely remove this problem overhead system, remove it, and place new utilities underground, as other communities have done, to be safer and to improve their properties?

To answer that question we began by discussing this with our County Supervisor. We discussed this with the management of Arizona Public Service and Verizon. We hired a very experienced energy consultant, Alex Romero, who has been involved with major projects all over the southwest. [Alex was in New Orleans after Katrina, with the Army Corp of Engineers.] We took his advice and brought trenching contractors and electrical contractors to Hillcrest Bay for evaluation of the project. We worked with the county inspector and engineers from APS, Verizon and more.

During this three years, we asked you the owners, by way of petition, what you wanted us to do? Three separate petitions were sent to you.

The 1st petition asked: In order to proceed, should Hillcrest Bay form an Underground Utility District? The majority of you said yes.

The 2nd petition asked: Should the cost for an under ground utility system, be determined? The majority of you said yes and that was done.

The last of the three petitions asked this question: Do you want the utilities put underground? Are you willing to pay your share to do so? A large majority, over 60% of you, said yes!

In addition, some owners who were reluctant to sign the last petition, said they would support the project, if the majority supported it, or said that it would be a great improvement to Hillcrest Bay, even though they did not care to sign the petition.

All together then, fully 2/3rds of owners have viewed this project as a desirable improvement.

So where are we now?

Three years later, and three petitions later, we have gone from asking, "what would it take to clean up Hillcrest Bay by removing this ugly outdated over our head system" to finding ourselves in a place where this proposed underground project could actually happen.

LaPaz County validated the petitions and the results are up to the Arizona Corporation Commission. The Corporation Commission will be the ones to decide whether or not this project will be built. If the Underground Utility Project is to move forward the continued support of Hillcrest Bay property owners for this project is essential.

If these power poles, power lines and telephone lines are going to ever come down; if we are going to prevent 40 ADDITIONAL power poles from being installed on our streets; if this major and dramatic improvement to Hillcrest Bay is to be made, ever, now is the time to do it. This is a

CURRENT WEATHER

85° F

Feels Like:
85° F



Sunny

Humidity: 23%

Pressure: 29.82 in

Wind: NNW at 8 mph

UV Index: 6 High

Homeowner's Forum

**TADES, INC., Tuscon, Arizona,
8/11/2008**

Dear Chris,

Thank you for agreeing to attend this meeting. I will have you listed on the agenda.

Attached is an updated Cost Report of the USCA, from the Joint Utilities.....

[Read More](#)

Hillcrest Bay, February 12, 2008

1] Why are some owners paying as little as \$5000.00 and some \$30,000.00?

Answer: According to sworn testimony at the January 12th, 2008 Arizona Corporation Commission hearings "The size of the private costs would depend upon the amount of work that is required...."

[Read More](#)

Hillcrest Bay Homeowners meeting, 10/20/2007

Three years ago, the Arizona Republic newspaper featured an article about four communities in the greater Phoenix area, who had elected to pay to remove their overhead utilities and enhance their communities, by putting in new underground systems....

[Read More](#)