

W-02824A-07-0388



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ORIGINAL

ARIZONA CORPORATION COMMISS
UTILITY COMPLAINT FORM

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Investigator: Trish Meeter

Phone: [REDACTED]

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2008 DEC 17 A 11:09

Priority: Respond Within Five Days

ARIZONA CORPORATION COMMISSION
PROJECT CONTROL

Opinion No. 2008 73910 Date: 12/12/2008

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

Complaint By: First: Larry Last: Bligh

Account Name: Larry Bligh Home: [REDACTED]

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:

12/12 DOCKET NO. W-02824A-07-0388

From: Larry & Tina BLIGH [REDACTED]
Sent: Thursday, December 11, 2008 4:21 PM
To: Mayes-WebEmail; Mundell-Web; Hatch-WebEmail; Pierce-Web; Gleason-WebEmail
Subject: ICR Water Users Association - W-02824A-07-0388

Arizona Corporation Commission
DOCKETED
DEC 17 2008

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

DOCKETED BY [Signature]

As you know, I have been outspoken about many of the issues we, as owners/shareholders of our non-profit ICR Water Users Association, have been confronted with during the current rate case process. I have also been outspoken about the behavior of the current Board of Directors and what many perceive as their continued resistance to compliance with ACC Decision 64360. It is my opinion, and that of many others, that this behavior has cost the owners of our non-profit water company many thousands of dollars in undue legal expenses during the current rate case. Had the Board simply followed the written orders of the Commission and managed the business, as they should have, the rate case procedure could have been an orderly and smooth process. Instead, not only the owners/shareholders of the Association have incurred a great deal of unnecessary expense, but the taxpayers of the State of Arizona have spent many dollars in hours used by Commission Staff working to sort out the mess that has been created. With that said, hopefully, the Commission will take a very hard look at the most current proposed Amended and Restated Water Service Agreement (WSA) docketed on 12/3/08 in this case, and not move away from its previously noted positions related to Decision 64360 compliance and stated Commission positions on groundwater use and rate structures.

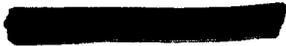
ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

As I have stated many times, I fully respect and support the Commission's rate setting process and don't believe that the Commission is in the business of creating or supporting non-tariff special agreements by non-profit water companies to the benefit of for-profit developers such as Harvard or anyone else. It has been made clear by the position taken by Mr. Crockett/Metli representing ICRWUA and by the ICRWUA Board that they apparently feel that the inverted tier rate process supported by the Commission is somehow "unfair" to for-profit business users such as Harvard. Simply put, these rate structures are a cost of doing business and effectively work to force conservation. However, it is clear to myself and others that Harvard/TRR somehow feels that they should be given special treatment and avoid paying rates that are set for others in the proposed tariffs. Not only are special rates requested for the use of groundwater on the golf course, but they also want that special rate applied to other non golf course activities such as construction water for the benefit of the for-profit developer. Please keep in mind that the proposed rate schedules have set a specific bulk water rate that anyone else using groundwater in this type application would be required to pay.

Just how big does a company have to be to skirt a standard rate setting process, request special treatment and avoid regulation like everyone else? Additionally, just how big does a company have to be to tell a regulated utility that they will not pursue a rate case process for five years as spelled out in the submitted WSA? As I believe that the Commission would agree, the need to file for a rate case should be based on financial conditions or by order of the Commission, not by a special agreement protecting a for-profit developer. However, for conditions like these to be found in the proposed agreement and acceptance by the ICRWUA Board, unfortunately is somehow not surprising.

Again, we would like to thank you and Commission staff for your time and continuing efforts with this issue and for the service you provide to our State.

Larry & Tina Bligh


Prescott, AZ 86305


End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Additional Comments to the rate case. Previous comments docketed.
End of Comments

Date Completed: 12/12/2008

Opinion No. 2008 - 73910
