

WS-02987A-07-0487



OPEN MEETING AGENDA ITEM
ARIZONA CORPORATION COMMIS

ORIGINAL

UTILITY COMPLAINT FORM
RECEIVED

Investigator: Carmen Madrid

Phone: 2007 MAR 24 P 3:42

Fax:

Priority: Respond Within Five Days

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Opinion No. 2009 77756 Date: 3/24/2009

Complaint Description: 05D Quality of Service - Field/Premises Visit
N/A Not Applicable

Complaint By: **First:** Brett **Last:** Miller

Account Name: Brett Miller **Home:** (000) 000-0000

Street: **Work:** (000) 000-0000

City: Mesa **CBR:**

State: AZ **Zip:** **is:** E-Mail

Utility Company: Johnson Utilities L.L.C. d/b/a Johnson Utilities Company

Division: Sewer

Contact Name: **Contact Phone:**

Nature of Complaint:

*****REFERRED FROM CHAIRMAN MAYES' OFFICE*****

Arizona Corporation Commission
DOCKETED

MAR 24 2009

DOCKETED BY
[Signature]

From: Miller, Brett [
Sent: Monday, March 23, 2009 2:14 PM
To: Kennedy-Web; Stump-Web; Mayes-WebEmail; Pierce-Web; Newman-Web
Subject: Johnson Utilities Expansion

Dear Commissioners,

I have been a resident of Pinal County and specifically the Pecan Creek subdivision since June of 2005. I have been a homeowner since 2001. I have lived in areas that had sewer service and areas in which we used a septic sewer system.

In my short period of home-ownership I have not experienced any sewer backup or service issues until I moved into the Johnson Utilities service area. In the 4 years I have been here:

I have seen things coming up through the manhole covers in my neighborhood that no one should have to see. I have seen this on 5 separate occasions.

- I was forced to live adjacent to a toxic pond as a result of one of the spills. I watched as my HOA was forced to put up a fence, at their expense, to keep people away from the pond.
- I deal with the nightly stench from the Pecan Treatment Plant.
- I listened as my HOA evicted JU from Queen Creek Wash.
- I have seen JU employees showing up at Pecan Creek HOA meetings, posing as residents, to gain information on our legal strategies.

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- I heard how JU attorneys fraudulently passed off some random paperwork to a Pinal County Sheriff's Deputy saying it was an injunction allowing them access to the wash, when in fact they had received no judgment.
- I heard reports and saw video of JU pumping water from the pond into water trucks and using the contaminated water to control dust around their worksite without approval from ADEQ.
- I had my house appraised for a possible relocation and saw how my living in the Johnson Utilities service area was counted against the value of my home.
- I have seen JU employees posting notices in our neighborhood accusing the residents of sabotaging the system.
- I saw JU's recent rate adjustment that raised sewer rates by 50% and lowered the water rates by a similar amount. Unfortunately, those of us in Pecan Creek will only see the increase as our water service comes from someone else. Does this have anything to do with our HOA's current litigation against JU? Was this rate change approved by the ACC?

In addition I have researched Johnson Utilities, and specifically George Johnson and Brian Thompset, and found numerous articles about the environmental devastation they have brought to bear on our state. The recent 9000 gallon spill in Cambria Ocotillo is just the tip of the iceberg with this group. It worries me that the ACC was even considered allowing Johnson Utilities expand their service area BEFORE the Cambria spill came to light.

George Johnson and Brian Thompset should be rotting in jail and their "utility" taken over by the state to fix the issues that already exist. Issues like the inadequacy of their current system, to which they feely admit. The ACC should not be allowing the JU plague to spread any farther.

Please save others from the stigma of living in the Johnson Utilities service area. Deny Johnson Utilities request to expand. Then please help those of us stuck in his area by putting him out of business.

Thank you for your time.

Sincerely

Brett Miller

Queen Creek, AZ
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

March 24, 2009

Brett Miller

Queen Creek, AZ

RE: JOHNSON UTILITIES COMPANY
DOCKET NO. W-02987A-07-0487

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Dear Mr. Miller,

Your e-mail regarding the Johnson Utilities Company ("Johnson") application for an extension of the Certificate of Convenience and Necessity will be placed on file with the Docket Control Center of the Arizona Corporation Commission ("Commission") to be made part of the record. The Commission will consider your comments before a decision is rendered in the Johnson application.

The concerns raised in letters received from customers will assist the Commission in the investigation and review of the application.

Staff appreciates your comments and the interest taken on the proposed application.

If you have any questions you may contact me at [REDACTED]

Sincerely,

Carmen Madrid
Public Utility Consumer Analyst
Utilities Division

Filed in Docket No. WS-02987A-07-0487
End of Comments

Date Completed: 3/24/2009

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