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AZ CORP COMMISSION
DOCKET CONTROL

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June 21st, 2009

Arizona Corporation Commission
Commission Docket Control
1200 West Washington,
Phoenix Arizona, 85007

Arizona Corporation Commission
DOCKETED

JUN 26 2009

DOCKETED BY 

COMMISSIONERS

KRISTIN K. MAYES-CHAIRMAN
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP
SARAH N. HARPING ADMINISTRATIVE LAW JUDGE

IN THE MATTER OF ARIZONA PUBLIC SERVICE COMPANY AND VERISON
CALIFORNIA, INC'S JOINT PETITION FOR THE ESTABLISHMENT OF AN
UNDERGROUND CONVERSION SERVICE AREA.

DOCKET NO. E-01345A-07-0663

DOCKET NO. T-01846B-07-0663

I am requesting that I participate as a party in the above stated hearing. I own property in Hillcrest Bay at 817 Bay View Dr. (lot # 310-32-014A)

I am strongly opposed to the UCSA.

As I have discussed with the commission in my letter which you received October 20th, 2008, I still have many concerns and unanswered questions.

In reference to the petitions presented to this commission, at the time of my first letter I stated that I had done the research concerning these petitions and the La Paz County did not verify any petition other than the first done in 2005/06. I have documentation from a

board meeting Dec 10, 2006, that Mr. John Sears stated that "on 11/21 the signed petitions were delivered. APS & Version now have 120 days to make a joint report of the cost. The assessor's office to verify that the required # of signatures is present." I went to the county assessor's office last October and by way of the letter sent to you in October it was confirmed that the assessor's office **did not** receive any petitions other than the first ones that were verified in 2005/06.(you have the verification letters from the assessor's that I sent in the October letter). In a letter from the board dated June 2009, it was stated to me that the petitions were turned over to the APS and that the Homeowners Association Board did not keep copies. This is very questionable in my opinion. As I referred in my previous letter to the commission, Mr. DL Wilson of APS stated that he gave the county of La Paz the names of the homeowners who were in favor of the project for verification. The county does not have a record of that. After the three phone calls to Mr. Wilson, I was informed to that I could look on line of the Arizona Commission docket and on page 20 find this information. I did so and found that this was the names of persons who have an account with APS in Hillcrest Bay. This is not the petition, as far as I can conclude, that listed the names for or against this project. This still brings to my mind the legitimacy of this at all.

This latest survey completed in August/September of 2008 was sent to somewhere in California to be tallied. I was told at a board meeting by Mr. John Sears that Grace Babcock (President) was holding the envelopes, but they did not have copies of the survey as they were sent to the commission. We as homeowners did receive these copies by the attorney but I question how these were determined. Just by the lot or by the square feet or both.

Since we now have access to the surveys, I have noted many omissions of surveys. I question the legality of such survey, since it was not required for a notary and not verified by the county recorder.

The issue of financial aide is also questionable in my opinion. I realize that Mr. John Sears stated that he has a commitment of \$15,000. from different homeowners to assist those in need. He stated in a previous board meeting, that the criteria were the same as the federal government. The board took it upon themselves (Feb, 08) to consider using \$9000. Of the Homeowners Association monies to help those who qualify. (This, by the way, was **without a majority vote of the homeowners**). In June 08, they voted to move \$9000 into an account for this purpose. There is an Article in our By-Laws which states that the board can use up to \$9000 for a specific item. I have questioned this particular issue and was told it was taken to the attorney for clarification. I have received a response from Grace Babcock (President) concerning my questions but did not receive an answer regarding spending the homeowners monies without a majority vote from the association as a whole. To date the HOA has spent approximately \$30,000 with out this clarification.

I have qualified for programs provided by The Gas Co. for low income in the state of California because my income meets the low income criteria, but under the federal guidelines I do not qualify. I am a widow, who is trying to survive in this economy. I would like to keep my second home that my husband and I worked so hard to have. We

bought this property in 1970, before anything was developed and waited three years for the electricity to be installed. My husband had the foresight to put our electricity underground, on our own, so that we would be considerate of others. Everyone who has a home in Hillcrest Bay had that option when they bought their property.

I also take issue with Enterprise Valuation Associates, Inc. Mr. Garcia is a property owner in Hillcrest Bay and is in favor of this proposal. I would indeed consider an unbiased appraiser to give an opinion. As of this date my property has decreased 50% in value.

Also please note, the Board of Hillcrest Bay voted to say "yes" to two lots and "no" to one lot that is owned by the association. **This was not brought to the association at large.**

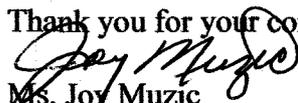
In regards to the poles being placed: The association, as a whole, has not been told of new technology or that Verizon has had articles in the LA Times (Business section, January 10th, 2009) that in less than 7 years they do not plan to have hard wire service. Are we going to have the 42 poles all at once or over the period of 15-20 years?

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 (street lights) on the hill, not to have the Board and Mr. Sears spend it on this proposal.

If this passes we will be looking at not only this financial burden but also our streets are in dire need of repair and we will have that burden also. This association does not have nearly enough money to survive it all.

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

Thank you for your consideration in this matter.


Ms. Joy Muzic
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