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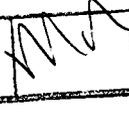
AZ CORP COMMISSION
DOCKET CONTROL

June 23, 2009

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

Arizona Corporation Commission
DOCKETED

JUN 23 2009

DOCKETED BY 

Sarah H. Harpring, Administrative Law Judge
Kristin K. Mayes, Chairman
Gary Pierce
Paul Newman
Sandra D. Kennedy
Bob Stump

Re: Docket #E-01345A-07-0663 & T-01846B-07-0663

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

I, Lynne S. Muzic am requesting that I participate as a party in the above stated hearing.

My husband & I own 2 properties in Hillcrest Bay. 811 Bay View Drive, (Lot #310-32-015) & 844 Bay View Drive, (Lot #310-32-047A). We are opposed to the Underground Utilities project.

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

We, and many other homeowners of Hillcrest Bay, believe that the information has been gathered in a bias manner, in favor of the underground utilities.

The survey that was sent to the homeowners, should have been a simple request of "Yes" or "No" vote, either for or against the underground utilities. Instead, the Board, and Mr. John Sears, the Chairman of the Underground Utilities, added 2 small statements as shown below.

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

We feel this was done as a scare tactic and to confuse the voter.

While Mr. Sears sent out the last survey, it was without important information. We have a concern regarding the way in which the initial petitions were obtained. The Board says they did not save copies of these petitions, which is questionable. Our concern is that the County did not verify the signatures.

Some of us have sent letters opposing the Underground Utilities, but do not feel it was in time to prevent the bias way & manner this new survey was presented to the Hillcrest community. 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 were sent out after the election.

The Commission also requested that there be 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 our knowledge, the criteria has not been established except that the CPA has assessed the applicant. Again we question this process.

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. As of the September 28, 2008 annual meeting, no alternative action or plan is being looked into. Are these poles being placed all at once or over a period of 20 or 30 years? 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 the money needs 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 the 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.

We have been original owners in Hillcrest Bay since its inception in 1970 and we have never seen a Board spend as much of our hard earned money, than has been spent on trying to get this proposal passed. Lynne, has served on this board many times, and 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.

They propose allowing us to finance the project by making monthly payments, at an undetermined interest. Some payments of \$200 to \$300 will be owed per month, not including the actual utility costs. We are on a fixed income and while they have offered to allow us to pay it off over many years, it would still be prohibitive for us. We would have to pay a monthly payment that is clearly out of our budget. If the underground utilities project passes, we would be forced to sell.

We also question the feasibility of the Cost Estimate report dated 5/7/2009. My sister-in-law, Joy Muzic, who has property next door, Lot 14A, has an Electric Cost of \$700.00, while our Lot 15 has an Electric Cost of \$3,317.50. Why is our Electric Cost for our lot \$2,617.50 more?

We are opposed to this Underground Utility project and we, therefore, would like you to reconsider all the alternatives of this project and make a recommendation of "No", on this proposal.

Thank you for your consideration in this matter.

Sincerely,

Handwritten signatures of Lynne and Fred Muzic in cursive script.

Lynne and Fred Muzic

Owners of Hillcrest Bay parcels: 310-32-015 & 310-32-047A