ORIGINAL

ARIZONA CORPORATION COMMISSION
FORMAL COMPLAINT FORM

0000109291

COMPLAINT	COMPLAINT NUMBER
ADDRESS 3641 N. 39th AVE	602-738-7221
NAME OF RESPONSIBLE PARTY STERLING INTERNATIONAL INC	PHONE (WORK) 602-269-2626
NAME OF UTILITY ARIZONA PUBLIC SERVICE	ACCOUNT NUMBER 7378152 84 (260 CAFE PAYSON AZ)

GROUNDS FOR COMPLAINT: (COMPLETE STATEMENT OF THE GROUNDS FOR COMPLAINT. INDICATING DATE(S) OF COMMISSION/OMISSION OR ACTS OR THINGS COMPLAINED OF.) (USE ADDITIONAL PAGE IF NECESSARY.)

SEE ATTACHED GROUNDS FOR COMPLAINT.

E-01345A-10-0136

Arizona Corporation Commission
DOCKETED
APR -8 2010
DOCKETED BY

NATURE OF RELIEF SOUGHT: (USE ADDITIONAL PAGE IF NECESSARY.)

SEE ATTACHED.

RECEIVED
2010 APR -8 P 4: 51
AZ CORP COMMISSION
DOCKET CONTROL

SIGNATURE OF COMPLAINANT OR ATTORNEY

Grounds for Complaint

For several years we have disputed the meter reading and billing practices of APS. At this time we are hereby submitting proof of erratic/incorrect and possibly self serving meter reading and billing practices by APS at the 260 Café Restaurant located at 803 E Hwy 260 in Payson.

The 260 Café was completely closed and out of business for a period of 15 months see attached. The water and the electric were left on for safety and security purposes only. A new operator took over the operations of the 260 Café on January/ February 2009.

The attached document "*the 260 Café Electric Usage extracted from* APS *billing* showing comparisons" shows a consumption/demand & billings according to APS. This information extracted from APS bills show irrational/possibly deceptive practices while providing consumption and demand.

A review of the figures while the restaurant was open and closed demonstrates that it is impossible to consume $4785.55 worth of electricity for a period of 15 months for the use of a burglar alarm and dusk to dawn light.

At this time APS has threatened to transfer the 260 Café disputed billing to another business entity, the Sterling Int'l Hotel, of which Mr. George Bien-Willner is a partner.

We request a full investigation of APS consumption/demand readings and billing practices, and full restitution for all monies overpaid and that the commission sanctions these activities. Also that APS cease and desist attempting to transfer disputed billings to other business entities.

260 CAFE ELECRIC USAGE EXTRACTED FROM APS BILLINGS SHOWING COMPARISONS

DATE	USAGE	AMOUNT	DEMAND	DATE	USAGE	AMOUNT	DEMAND	DATE	USAGE	AMOUNT	DEMAND	DATE	USAGE	AMT	DEMAND
Oct-06	6740	753.19	19.7	Oct-07	4141	572.16	15.5	**Oct-08**	**2179**	**315.3**	**4.6**	Oct-09	4387	662.37	17.4
Nov-06	5994	638.03	17.3	**Nov-07**	**4016**	**489.12**	**15.1**	**Nov-08**	**1793**	**233.48**	**4**	Oct-09	2006	269.27	17.9
Dec-06	5855	629.06	14.9	**Dec-07**	**2151**	**270.55**	**5.5**	**Dec-08**	**1970**	**256.52**	**4**				
Jan-07	6326	655.86	14.8	**Jan-10**	**2120**	**269.23**	**4.5**	Jan-09	825	123.97	3.6				
Feb-07	5834	626.15	16.9	**Feb-08**	**2054**	**270.04**	**4.5**	Feb-09	2797	380.14	16.1				
Mar-07	5301	596.78	14.2	**Mar-08**	**1938**	**255.44**	**4.5**	Mar-09	3972	528.75	18.5				
Apr-07	5831	628.52	16.4	**Apr-08**	**2403**	**314.98**	**4.9**	Apr-09	4321	578.43	18.8				
May-07	5141	641	17.3	**May-08**	**2545**	**379.67**	**4.9**	May-09	4350	652.73	17.5				
Jun-07	4967	628.96	16.9	**Jun-08**	**2713**	**402.85**	**5.4**	Jun-09	5308	778.13	18.6				
Jul-07	6080	740.36	20.2	**Jul-08**	**3496**	**512.66**	**5.9**	Jul-09	4795	718.71	17.9				
Aug-07	5187	701.48	17.3	**Aug-08**	**2705**	**386.3**	**5.4**	Aug-09	5560	802.47	19.1				
Sep-07	6126	777.22	14.7	**Sep-08**	**2998**	**429.41**	**5.3**	Sep-09	5628	810.46	19.9				

ABADI FONT FOR CAFÉ OPEN

BODINI FONT CAFÉ CLOSED

BRUSHSCRIPT FONT CAFE IS TENANT OCCUPIED

APS ACCOUNT #737815284
803 EAST HIGHWAY 260
PAYSON

	TOTAL DEMAND IN Kw	BILLED DEMAND IN Kw	ROUNDED UP	ROUNDED DOWN
10/16/2007	15.5	16	0.5	
11/15/2007	15.1	15		0.1
12/18/2007	5.5	6	0.5	
1/18/2008	4.5	5	0.5	
2/19/2008	4.5	5	0.5	
3/19/2008	4.5	5	0.5	
4/17/2008	4.9	5	0.1	
5/16/2008	4.9	5	0.1	
6/17/2008	5.4	5		0.4
7/17/2008	5.9	6	0.1	
8/15/2008	5.4	5		0.4
9/16/2008	5.3	5		0.3
10/16/2008	4.6	5	0.4	
11/17/2008	4	4		
12/18/2008	4	4		
1/21/2009	3.6	4	0.4	
2/18/2009	16.1	16		0.1
3/19/2009	18.5	19	0.5	
4/17/2009	18.8	19	0.2	
5/18/2009	17.5	18	0.5	
6/17/2009	18.6	19	0.4	
7/17/2009	17.9	18	0.1	
8/17/2009	19.1	19		0.1
9/16/2009	19.9	20	0.1	
10/26/2009	17.9	18	0.1	

17 TIMES ROUNDED UP +55
68%

6 TIMES ROUNDED DOWN -14
24%

2 TIMES EVEN
8%