

SW-02361A-08-0609

ORIGINAL



0000127637

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator: Richard Martinez      Phone:      Fax:

Priority: Respond Within Five Days

Opinion No. 2011 - 96915      Date: 7/14/2011

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

Complaint By:      First: Les      Last: Peterson

Account Name: Les Peterson      Home: (000) 000-0000

Street:      Work:

City: Carefree      CBR:

State: AZ      Zip: 85377      is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:      Contact Phone:

Nature of Complaint:

Docket No: SW-02361A-08-0609

Les Peterson

Carefree, AZ 85377

Petition to the Arizona Corporation Commission on Behalf of the Boulders Homeowners Association

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007-2927

Arizona Corporation Commission  
**DOCKETED**

JUL 19 2011

July 6, 2011

Re: Black Mountain Sewer Corporation  
Docket No: SW-02361A-08-0609  
De-commissioning the Boulders WWTP

DOCKETED BY

Commissioners: Gary Pierce, Chairman  
Brenda Burns, Commissioner  
Sandra D. Kennedy, Commissioner  
Paul Newman, Commissioner  
Bob Stump, Commissioner

RECEIVED  
2011 JUL 19 4: 38  
AZ CORP COMMISSION  
DOCKET CONTROL

Dear Commissioner,

I have been a Director of the Boulders Homeowners Association for the past five and one half years, serving as

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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President for three years and Vice President the remaining time. I am the named Intervenor for the Boulders Homeowners Association in the Black Mountains Sewer Rate Case Docket No: SW-02361A-08-0609. I am writing both personally and on behalf of the Boulders Homeowners Association.

I have frequent contact with the 300 + households within our Association boundaries, and no problem has been as prevalent nor as irritating to our homeowners as the Black Mountain Sewer Treatment Plant within the residential neighborhoods of the Boulders.

-The odor from this WWTP are so prevalent and so strong that I have personally received over 100 complaints from different residents over the past two years,

-Some residents have had to vacate their homes and moves elsewhere because of the strong and offensive odors being emitted from the WWTP.

-Grinding and related processing noises from the WWTP are so strong that they keep some residents awake at night.

The odor and noise problems caused by the WWTP are increasing in intensity and frequency. This past year has been the worst for our residents of any year within the last decade.

The Boulders Resort and Black Mountain Sewer/Liberty Water have been discussing for the last nine months how to remedy the sole remaining condition in the Settlement Agreement which was a part of the 2010 Order issued by the Arizona Corporation Commission. At this time there is no solution in sight, and discussions between these two entities has broken down entirely. In my view the Boulders resort has not taken an aggressive posture to develop and implement a workable solution but, rather, has taken a passive approach expecting Black Mountain Sewer to deliver a solution and substantial funding of it to them.

Because of the severity of the problems continuing to be caused by the WWTP, on behalf of all of the 300+ residents in the Boulders Homeowners Association and myself I respectfully request that the Commission order the WWTP to be closed immediately.

Thank you for your consideration of this urgent request.

Les Peterson  
Vice President, on behalf of the Boulders Homeowners Association  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

7/14  
Emailed to the Phoenix office for docketing. FILE CLOSED.  
\*End of Comments\*

**Date Completed: 7/14/2011**

**Opinion No. 2011 - 96915**

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SW-02361A-08-0609

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator:

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97002

Date: 7/18/2011

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

First:

Last:

Complaint By: Mr. & Mrs. Richard Ressequire

Account Name: Mr. & Mrs. Richard Ressequire

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Scottsdale

CBR:

State: AZ Zip: 85266

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

7/8/11

Arizona Corporation Commission  
Re: Black Mountain Sewer Corp  
Docket # SW-02361A-08-0609  
De-commissioning the Boulders WWTP

I am writing while on vacation to request that the Corporation Commission order the sewer treatment plant located in the Boulders be closed and immediately removed.

Our concerns have been expressed over several years and they are still the same. The odors coming from this plant are terrible and greatly effect our quality of life not to mention our property values. This is a serious problem that needs to be addressed quickly. I know you have supported this in the past and urge you to do so again.

Richard W. Ressequire

Mr. & Mrs Richard Ressequire

Scottsdale, AZ 85266

\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

Opinion noted and docketed in Docket No. SW-02361A-08-0609. closed

\*End of Comments\*

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

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Date Completed: 7/18/2011

Opinion No. 2011 - 97002

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SW-023661A-08-0609

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97021

Date: 7/18/2011

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

Complaint By: John L. & Suzanne Smucker

Account Name: John L. & Suzanne Smucker

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Scottsdale

CBR:

State: AZ Zip: 85266

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

John L. and Suzanne Smucker

Scottsdale, AZ 85266

Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007-2927

July 8, 2011

Re: Black Mountain Sewer Corporation
Docket No: SW-023661A-08-0609
Decommissioning the Boulders WWTP

Dear Commissioners:

As residents of The Boulders, living at ... we are requesting that the Black Mountain Sewer Treatment Plant ("WWTP") in The Boulders be de-commissioned and removed immediately.

After purchasing our home on Quartz Valley Drive in January 2011, we became aware of a very strong, acrid odor in the night while we were sleeping. The odor was so strong that it stung our eyes and made breathing very uncomfortable. This occurred every night around 10 PM and lasted until morning. After these nights, we would feel dizzy and nauseated in the mornings that seemed to subside as the air improved.

We are very concerned about the health implications of this type of exposure to ourselves and our neighbors. We are aware now the WWTP is emitting these gases and that the plant is out-dated, too small to process the amount of raw sewage that it has to handle and is non-compliant with EPA standards. We request that this plant

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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be closed immediately.

We appreciate your action in addressing this serious problem.  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

**Date Completed: 7/18/2011**

**Opinion No. 2011 - 97021**

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SW-02361A-08-0609

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 96892

Date: 7/13/2011

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

Complaint By: First: Warren P. Last: Powers

Account Name: Warren P. Powers

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Carefree

CBR:

State: AZ Zip: 85377

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

7/8/11

To: AZ Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007-2927

Subject: Black Mtn Sewer Corp.  
Docket No. SW-02361A-08-0609

Re: Decommissioning The Boulders WWTP

Dear Commissioners

As a Boulders resident who lives within 1/10 of a mile of the subject WWTP I strongly recommend it's decommission.

For the past several years the outdated facility has been in a constant state of disrepair & the source of numerous problems including odor, noise, & constant maintenance involving heavy equipment, pumping equipment, diggers etc.

The facility can't be maintained because it's too old & even if it could it is obsolete technologically & it is no longer even necessary.

TAKE IT OUT PLEASE

Warren P. Powers

Carefree, AZ 85377  
\*End of Complaint\*

# ARIZONA CORPORATION COMMISSION

## UTILITY COMPLAINT FORM

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Utilities' Response:

Investigator's Comments and Disposition:

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed

\*End of Comments\*

Date Completed: 7/18/2011

Opinion No. 2011 - 96892

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SW-02361A-08-0609

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator:

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 96894 Date: 7/13/2011

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

Complaint By: First: Paul T. Last: Power

Account Name: Paul T. Power Home: (000) 000-0000

Street: Work: (000) 000-0000

City: Carefree CBR:

State: AZ Zip: 85377 is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name: Contact Phone:

Nature of Complaint:  
Docket # SW-02361A-08-0609

To: Black Mountain Sewer Corp.

I am a resident at [redacted] not with standing the alone letterhead. That home is located in the Boulders where I have suffered for mare than ten years with a horrible stench and smell. It is ongoing and make life very troublesome.

I therefore request you de-commission the Black Mountain Sewer treatment plant in the Boulders, a few short blocks from my home.

Respectfully  
Paul Power  
\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

Date Completed: 7/18/2011

Opinion No. 2011 - 96894

SW-02361A-08-0609

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97019

Date: 7/18/2011

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

Complaint By: First: **Dr. & Mrs. Joseph** Last: **Wytko**

Account Name: Dr. & Mrs. Joseph Wytko

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Carefree

CBR:

State: AZ Zip: 85377

is:

Utility Company: **Liberty Water-Black Mountain Sewer Corporation**

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

July 9, 2011

ATT: ARIZONA CORPORATION COMMISSION  
1200 WEST WASHINGTON STREET  
PHOENIX, AZ 85007-2927

DOCKET NUMBER REFERENCE:  
BLACK MOUNTAIN SEWER CORPORATION  
DOCKET NO: SW-02361A-08-0609  
DE-COMMISSIONING THE BOULDERS WWTP

Dear Arizona Corporation Commission Members:

As homeowners who reside full-time in the Boulders, we are writing to encourage you in the strongest way to order the immediate closing of the Sewer Treatment Plant in the Boulders. The very severe problems with this plant, especially with regard to constant, unrelenting noise and the sickening and unhealthy odors, cannot be ignored any longer.

It is simply unfair and unhealthy to those who reside in this community, and to our guests, to have to endure the problems caused by this plant. The noise created by this plant, which is constant and most noticeable when one is attempting to sleep, is unacceptable. It is more than a mere inconvenience; in fact, it is so bad that actual physical vibrations are being transmitted into our homes. We have had guests who simply could not sleep in our home, and who have instead been forced to reserve hotels. Again, the noise is not a simple inconvenience when one has to live with it constantly.

Additionally, the unhealthy, wretched odor created by this plant is beyond belief. There is no possible way that any governing organization could possibly not agree that this problem is extremely serious. Additionally, there surely are ramifications for physical health. Obviously this problem also has very real ramifications with regard

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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to property values in the surrounding area, as well as to the reputation of the city of Carefree.

We are asking you to please order the Black Mountain Sewer to be closed immediately. You have the ability to help so many people in so many ways by making such an order immediately. We genuinely need your help, and we are asking you to assist us in a quick, meaningful, and common sense manner. Please, solve this serious and obvious problem.

for your kind consideration and prompt attention.

Sincerely,  
Dr. and Mrs. Josenh Wvtno (residents)

Carefree, AZ 85377  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

**Date Completed: 7/18/2011**

**Opinion No. 2011 - 97019**

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SW-02361A-08-0609

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97027

Date: 7/18/2011

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

Complaint By: First: Frank Last: Daly

Account Name: Frank Daly

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Carefree

CBR:

State: AZ Zip: 85377

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

Frank Dalv

Carefree, AZ 85377

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 8 5007-2927

RE: DOCKET NO SW-02361A-08-0609  
Decommissioning the Boulders Waste Water Treatment Plant

Friday, July 08, 2011

Dear Sir or Madam:

Thank you for taking the time to understand my thoughts regarding this issue.

I live less than a mile from the above-mentioned waste water treatment plant. I have conveyed my experiences regarding the treatment plant to the Commission both in person and in writing, but I understand that as the process unfolds, it might be appropriate to do so once again. I feel very strongly about this issue!

When I purchased my property more than seven years ago, I was not made aware of the existence of the WWTP. However, shortly upon taking up residency, I and my family began to smell a very strong odor at various times of the day, but especially in the morning. I don't need to describe what the odor from a sewage treatment plant smells like – assume the worst and you will be accurate. It is not uncommon for us to have to retreat to the indoors and close all the windows.

In addition to the odor, we can hear the plant's machinery, especially in the evening when the air is quiet

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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Perhaps it is the acoustics of my house's location relative to the facility, but once again we must often close our windows in order to be able to sleep.

It is a rather interesting conversation when we invite friends and family to visit and have to warn them that overpowering odors and the sound of machinery grinding away are "normal" parts of this Arizona desert resort community!

We are reasonable people. The sewer company and the resort have all inherited this situation, From what I understand, everyone is cooperating in trying to resolve this issue.

We residents have agreed that we will bear the brunt of increased costs resulting from the decommissioning of the facility.

It appears that the Commission can make the decision to direct that the plant be decommissioned. The purpose of this letter to you is to ask you to do whatever you can to decommission the treatment facility and greatly improve the quality of life for many of us living at the Boulders

Thank you very much once again for taking the time to understand my concerns.

Sincerely,

Frank Daly  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

**Date Completed: 7/18/2011**

**Opinion No. 2011 - 97027**

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SW-02361A-08-0609

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax: ( )

Priority: Respond Within Five Days

Opinion No. 2011 97025

Date: 7/18/2011

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

Complaint By: First: Terry & Eli Last: Murray

Account Name: Terry & Eli Murray

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Carefree

CBR:

State: AZ Zip: 85377

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone: ( )

Nature of Complaint:

Terry and Eli Murray

Carefree, Arizona 85377

July 7, 2011

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007-2927

re: Black Mountain Sewer Corporation  
Docket No: SW-02361 A-08-0609  
De-Commissioning the Boulders Wastewater Treatment Plant

Commissioners:  
Gary Pierce, Chairman  
Brenda Burns, Commissioner  
Sandra D. Kennedy, Commissioner  
Paul Newman, Commissioner  
Bob Stump, Commissioner

Dear Commissioners:

We live in the Boulders in close proximity to the Boulders Wastewater Treatment Plant ("WWTP") and are writing to add our support for the efforts to get this plant decommissioned. The odor situation continues to impact our quality of life.

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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It is our hope that the Commission can do something to ensure that this plant is finally shut down.

Sincerely

Terry and Eli Murray  
\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

Date Completed:

Opinion No. 2011 - 97025

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SW-02361A-08-0609

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97024

Date: 7/18/2011

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

Complaint By: First: L. Graeme Last: Bell, III

Account Name: L. Graeme Bell, III

Home:

Street:

Work: (000) 000-0000

City: Scottsdale

CBR:

State: AZ Zip: 85266

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

GRAEME BELL

Arizona Corporation Commission  
1200 West Washington St.  
Phoenix, AZ 85007-2927

Re: Docket No: SW-02361A-08-0609

Dear Sir or Madam,

We wife and I are snowbird residents of Arizona. We own a home in the Boulders Community at . I write this letter in support of the petition of our neighbors and HOA to secure an order from the Commission directing that the Black Mountain sewage treatment facility in the middle of our community be closed and removed forthwith.

It is, frankly, a disgrace that we have to live with a sewage treatment facility at the head of our street. The noxious odors visit our home when the winds are from the north and we experience them driving in and out of our street and as we walk around our neighborhood. The odors are not ever present but when they are present, the environment is very unpleasant. I don't know how it came to be that we have this facility in our residential community but it is long past the time when it should be removed.

I understand that our monthly bill from, now, Liberty Water, will go up to accommodate the costs of the decommissioning. We are prepared to pay our fair share; we are comfortable that our home values will increase more than the decommissioning costs we will have to bear.

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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Thank you for considering my comments.

Sincerely yours,

L. Graeme Bell, III  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

**Date Completed: 7/18/2011**

**Opinion No. 2011 - 97024**

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SW-02361A-08-0609

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97022

Date: 7/18/2011

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

Complaint By: First: Patrick M. Last: Delaney

Account Name: Parick M. Delaney

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Scottsdale

CBR:

State: AZ Zip: 85266

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

Patrick M Delaney

Scottsdale, Arizona 85266

July 8, 2011

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007-2927

Dear Sirs:

I am writing regarding Black Mountain Sewer Corporation, Docket No: SW-02361A-08-0609, De-commissioning the Boulders WWTP.

I have been a resident of the Boulders for the past thirteen years. During this entire period odors have emanated from the sewer plant and the man hole covers in the streets. We have had numerous meetings in which the operator told us of the actions they had taken and additional action they would take to mitigate the odors. At least one civil engineer with extensive experience in waste management stood up at one of these meetings and said these efforts would be in vain and they have been. The odors persist.

We agreed to a significant increase in our monthly sewer fees to cover the costs of decommissioning the waste water treatment plant. A year later the odors are still here and we continue to pay what I think was a forty percent increase in our sewer fees.

Please order the plant to be closed immediately as all parties have had sufficient notice of the intent to close the plant and none of them should be allowed to obstruct the closing of this plant when we have already waited many years for the odors to be eliminated.

Sincerely yours,  
Patrick M Delaney

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

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\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed

\*End of Comments\*

Date Completed: 7/18/2011

Opinion No. 2011 - 97022

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SW-02361A-08-0609

## ARIZONA CORPORATION COMMISSION

### UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2011 97028

Date: 7/18/2011

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

First:

Last:

Complaint By: John & Suzanne

Smucker

Account Name: John & Suzanne Smucker

Home: (000) 000-0000

Street:

Work: (000) 000-0000

City: Scottsdale

CBR:

State: AZ Zip: 85266

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name:

Contact Phone:

Nature of Complaint:

John L and Suzanne Smucker

Scottsdale, AZ 85266

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007-2927

June 7,2011

Re: Black Mountain Sewer Corporation  
Docket No: SW-02361A-08-0609  
De-commissioning the Boulders WWTP

Commissioners: Gary Pierce, Chairman  
Brenda Burns, Commissioner  
Sandra U. Kennedy, Commissioner  
Paul Newman, Commissioner  
Bob Stump, Commissioner

Dear Commissioners:

We are new residents of The Boulders as of January 2011. Our house is about 100 yards from the Waste Water Treatment Plant ("WWTP") which is owned by Black Mountain Sewer Corporation ("BMSC").

We were shocked to experience the acrid and nauseating gas being emitted from the plant. We found that this gas made us dizzy and nauseated after breathing it through the night. Closing windows and running the air

**ARIZONA CORPORATION COMMISSION**  
**UTILITY COMPLAINT FORM**

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conditioner did not seem to help. These concentrated emissions continue from about 10 PM to 6AM every night with no relief.

We reported the problem to The Boulders' Management and they assured us that plans were moving ahead to close the facility. It is now apparent that The Boulders and Black Mountain Sewer Corporation are unwilling to negotiate a plan for decommissioning and removing the WWTP.

We are appealing to the Commission to order this plant decommissioned and removed immediately before someone is seriously injured from this health hazard.

Sincerely,

John & Suzanne Smucker  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed  
\*End of Comments\*

**Date Completed: 7/18/2011**

**Opinion No. 2011 - 97028**

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SW-02361A-08-0609

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone:

Fax: (

Priority: Respond Within Five Days

Opinion No. 2011 97020

Date: 7/18/2011

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

Complaint By: First: Marie Last: France Caire

Account Name: Marie France Caire

Home:

Street:

Work: (000) 000-0000

City: Carefree

CBR:

State: AZ Zip: 85377

is:

Utility Company: Liberty Water-Black Mountain Sewer Corporation

Division: sewer

Contact Name: L

Contact Phone: |

Nature of Complaint:

Marie France Caire

Carefree AZ 85377-2672

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007-2927

Black Mountain Sewer Corporation  
Docket No: SW-02361A-08-0609  
De-commissioning the Boulders WWTP

July 11 2011

Dear Commissioner,

My name is Marie France Caire and I live at . Mailing address |

We are experiencing some very bad sewer odors, even in the house, doors and windows closed. Sometime it is really unbearable, and make me sick. It definitely comes from the sewer plan located on Boulder drive.

I request that the Corporation Commission order the sewer treatment plant to be closed and removed immediately.

Thank you

Marie France Caire

ARIZONA CORPORATION COMMISSION  
UTILITY COMPLAINT FORM

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\*End of Complaint\*

Utilities' Response:

Investigator's Comments and Disposition:

Opinion noted and filed in Docket No. SW-02361A-08-0609. closed

\*End of Comments\*

Date Completed: 7/18/2011

Opinion No. 2011 - 97020

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