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

Docket No. SW-02361A-08-0609

Commissioners

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

ARIZONA CORPORATION COMMISSION  
DOCKETED  
NOV 15 2012  
DOCKETED  
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AZ COR. COM. ON  
DOCKET CONTROL  
Administrative Law Judge  
Dwight Nodes  
2012 NOV 15 11:11 AM

Dear Commissioners and Judge Nodes,

Nov. 8, 2012  
Date

The undersigned wish to make a statement regarding the petition currently before the Commission of the Boulders Homeowners Association seeking the de-commissioning and closure of the Boulders East Plant, a sewage processing plant located in the midst of the Boulders Community in Carefree and North Scottsdale and operated by Black Mountain Sewer/Liberty Water. This statement follows:

\* \* \*

The Boulders Community has experienced sewer odor for over thirty years. For some reason, during the past decade, the odor coming from the Boulders East Plant ("BEP") has become so obnoxious, and such a nuisance, that those of us who live here have become prisoners in our own homes. Many sunny days cannot be enjoyed outside in our patios because of the awful smell. Occasionally, it has been so bad that it creeps into our home even with doors and windows closed. In addition, there are times when the din coming from the plant interrupts our sleep. My husband and I have sent numerous complaints to the Arizona Corporation Commission over the years; however, we quit complaining during the past year because we are now in our 80's, and quite frankly, are weary of it all.

We are also upset by the following:

The BHOA has presented its case before the Arizona Corporation Commission three times, beginning in June, 2006. Several years ago, it also asked the Boulders Resort to actively participate in finding sources of effluent, other than that furnished by the BEP, for its two golf courses. The Resort's response/attitude was, "Let the other guys do the heavy lifting". Around our house, we find this approach extraordinary, especially given the fact that sewer odor permeated areas around the Boulders Club, the golf courses and trails, and at the Golden Door Spa, where

employees masked the horrible smell with heavy doses of Eucalyptus oil. The combination did not lend itself to a "1<sup>st</sup>. Class Spa". In 2008, we quit our Club membership in disgust.

We resent the fact that our community lives with obnoxious sewer odor and noise while subsidizing through high sewer rates, the cost of maintaining a public nuisance located in a residential neighborhood. It is also time for the Resort to stop expecting to acquire effluent at below market rates.

After years of complaints, meetings, Hearings, Briefs, and Reply Briefs, we ask that the Arizona Corporation Commission finally lay to rest the Boulders Sewer Plant Odor Issue by ordering the plant's decommissioning and closure. Boulders residents have suffered long enough.

Thank you for your continuing service to the citizens of Arizona.

A handwritten signature in black ink, appearing to read "Marilyn H. Courier" and "Ernest M. Courier" on two lines.

Printed Name(s): Marilyn H and Ernest M. Courier

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Mailing Address: P.O. Box 2956

City, State, ZIP: Carefree, AZ 85377