

ORIGINAL
COMMISSIONERS
BOB PIERCE - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION

January 24, 2013

To: Docket Control

RE: Far West Water & Sewer, Inc. - Petition
Docket No. WS-03478A-12-0307

Please docket the attached 70 customer signatures OPPOSING the above filed rate case.

Customer comments can be reviewed in E-docket under the above docket number.

Filed by: Utilities Division – Consumer Services

Arizona Corporation Commission
DOCKETED
JAN 24 2013
DOCKETED BY 

RECEIVED
2013 JAN 24 P 2:36
AZ CORP COMMISSION
DOCKET CONTROL

WS-03478A-12-0307

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Tom Davis

Phone: ()

Fax: ()

Priority: Respond Within Five Days

Opinion No. 2013 - 107941

Date: 1/18/2013

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

Complaint By: First: PETITION Last: PETITION

Account Name: PETITION PETITION

Home: (000) 000-0000

Street: N/A

Work: (000) 000-0000

City: Yuma

CBR: 000-000-0000

State: AZ Zip: 85367

is: Other

Utility Company: Far West Water & Sewer, Inc.

Division: Sewer

Contact Name:

Contact Phone:

Nature of Complaint:

*****PETITION***** Letters sent in by 2 consumers all OPPOSED*****

Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

RE: Far West Docket# WS-03478A-12-0307

To Whom It May Concern:

We are writing to you as concerned property owners. We recently received notification regarding a proposed price increase of 188%. This increase is not only excessive, but far above and beyond any acceptable increase due to operating expenses incurred due to annual inflation. It is disturbing that Far West find it necessary to inflict such a steep increase when they do not participate in the standard practice of charging tap fees which fund the expansion capital for the majority of utility companies throughout the country.

Considering that a large percent of Far West's clientele is comprised of part-time residents who spend an average of 4 months each year using the current sewer system, Far West appears to be attempting to gain expansion capital for service not rendered. Under close examination, the proposed increase will cost the average part-time resident an average of \$187.90 per month of use while inhabiting their residence.

Current Fee: \$21.75
188% increase: \$62.65
Increased rate per year: \$751.80
Average for a 4 month resident: \$187.95

It is not unexpected to incur small increases in service fees, such as 10-15%, on occasion. It is also expected that a fee for the administrative cost of maintaining service during

1080-51-127151-01

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

months of disuse. However, an increase of 188% exceeds simply "excessive".

It would be in the best interest of ACC to advise Far West to consider the implementation of standard tap-fees as employed by similar utility companies. This would serve Far West's need to build expansion capital for future expansion of their utilities, and still serve their current clients at reasonable rates.

Signed by:

1 - Mel Watmough
2 -Pat & Caroline Donohue
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Opinions noted and filed in Docket No. WS-03478A-12-0307.

CLOSED
End of Comments

Date Completed: 1/18/2013

Opinion No. 2013 - 107941

WS-03478A-12-0307-2W

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Thank you for taking the time to register our objection to the proposed 188.05% increase.

Yours sincerely,

Submitted by:

- 1) Robert Black
 - 2) Jerry & Barbara Gran
 - 3) Ruth Black
 - 4) Robert Black
 - 5) Bob & Elaine Carey
- *End of Complaint*

Utilities' Response:

Investigator's Comments and Disposition:

Comments entered for the record and filed in docket # WS-03478A-12-0307. CLOSED.
End of Comments

Date Completed: 1/18/2013

Opinion No. 2013 - 107940

WS-03478A-12-0307

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Deb Reagan

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2013 - 107922

Date: 1/18/2013

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

First:

Last:

Complaint By: PETITION

PETITION

Account Name: PETITION PETITION

Home: (

Street:

Work:

City: Yuma

CBR: (

State: AZ Zip: 85367

is:

Utility Company: Far West Water & Sewer, Inc.

Division: Sewer

Contact Name: Roxanne Fiddes

Contact Phone:

Nature of Complaint:

***** WS-03478A-12-0307 ***** ***** Petition signed by 12 customers *****

Customer sent the following -

We would like to ask the Arizona Corporation Commission to NOT APPROVE the application submitted by Far West Water and Sewer Company, Docket Number - WS-03478A-12-0307.

Far West provides water and sewer service to the Foothills area east of Yuma. There are approximately 8,000 residential and commercial customers in this unincorporated area of Yuma County who would receive a rate increase of 188.05%. Once approved, this new rate would be the permanent rate and would continue until Far West decided to raise the rates again.

Winter residents increase Yuma's population each year by more than 80,000 people with the majority of them living in the Foothills. As customers of Far West they are required to pay for 12 months of service but may only be in residence 3-4 months.

If the proposed increase passes it would only succeed in further devastating the local economy. There are many folks who live paycheck to paycheck and the increase could potentially force many people to sell or go into foreclosure.

WE FEEL THIS ENORMOUS INCREASE IS NOT JUSTIFIED!!!!!!

1 - Pat and Jean O'Connell
2 - Claude and Nora French

**ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM**

- 3 - J. S. Svinth
- 4 - Patricia and Howard Chichester
- 5 - Ruben Opp
- 6 - Nolan and Patricia Brasher
- 7 - Leonard LaLonde and Delores Randles
- 8 - Jon Bjorklund
- 9 - Judy Williams
- 10 - Marion Leer
- 11 - James Bell
- 12 - Ertman and Helen Miller
- *End of Complaint*

Utilities' Response:

Investigator's Comments and Disposition:

Comments entered for the record and filed with Docket Control.
End of Comments

Date Completed: 1/18/2013

Opinion No. 2013 - 107922

WS-03478A-12-0307

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Tom Davis

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2013 - 107908

Date: 1/17/2013

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

Complaint By: First: PETITION Last: PETITION

Account Name: PETITION PETITION Home: (000) 000-0000

Street: N/A Work: (000) 000-0000

City: Yuma CBR:

State: AZ Zip: 85367 is:

Utility Company: Far West Water & Sewer, Inc.

Division: Sewer

Contact Name: Contact Phone:

Nature of Complaint:

*****PETITION*****Letters sent in by 6 consumers all OPPOSED*****

December 27, 2012

Arizona Corporation Commission, Consumer Services Section
1200 West Washington St. Phoenix Arizona 85007

TO WHOM IT MAY CONCERN,

RE:DOCKET NO. WS-03478a-12-03-07
FAR WESTWATER & SEWER, INC.

We are home owners in the Foothills of Yuma, Arizona. We wish to register our very strongest objections to the proposed wastewater increase by Far West Water and Sewer, Inc. In the filing of Docket No.WS-03478A-12-0307 Far West Water and Sewer, Inc. has filed for a residential wastewater increase from \$21.75 to \$62.65 per month, or 188.05% increase.

We request that the Arizona Corporation Commission decline this request by Far West and do not allow this 188.05% increase to pass.

The Foothills area of Yuma, Arizona is a community made up largely of retired senior citizens living in small homes, modular homes, park model units and recreational vehicles. An increase of this amount would present an enormous hardship on this entire population who are already struggling with fixed and declining incomes late in life. It would dramatically impact the ability of most of this population to remain in their homes and even in this area. Given the size of this increase, the possible resulting departure of this population from the Foothills of Yuma would in no small way impact both the City of Yuma and the County given the tax base they represent.

Please use the powers given you to protect the small home owner and refuse this request.

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Thank you for taking the time to register our objection to the proposed 188.05% increase.

Yours sincerely,

Submitted by:

- 1) Tim & Kim Simpson
 - 2) Malcolm & Marie Geay
 - 3) Richard & Denise Gustum
 - 4) Donald H Tucker
 - 5) Bonnie M Tucker
 - 6) Ronald & Vicki Brewer
- *End of Complaint*

Utilities' Response:

Investigator's Comments and Disposition:

Comments entered for the record and filed in docket # WS-03478A-12-0307. CLOSED.
End of Comments

Date Completed: 1/17/2013

Opinion No. 2013 - 107908

WS-03478A-12-0307

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Tom Davis

Phone:

Fax:

Priority: Respond Within Five Days

Opinion No. 2013 - 107907

Date: 1/17/2013

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

Complaint By: First: PETITION Last: PETITION

Account Name: PETITION PETITION

Home: (000) 000-0000

Street: N/A

Work: (000) 000-0000

City: Yuma

CBR:

State: AZ Zip: 85367

is:

Utility Company: Far West Water & Sewer, Inc.

Division: Sewer

Contact Name:

Contact Phone:

Nature of Complaint:

*****PETITION***** Letters sent in by 11 consumers all OPPOSED*****

Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

RE: Far West Docket# WS-03478A-12-0307

To Whom It May Concern:

We are writing to you as concerned property owners. We recently received notification regarding a proposed price increase of 188%. This increase is not only excessive, but far above and beyond any acceptable increase due to operating expenses incurred due to annual inflation. It is disturbing that Far West find it necessary to inflict such a steep increase when they do not participate in the standard practice of charging tap fees which fund the expansion capital for the majority of utility companies throughout the country.

Considering that a large percent of Far West's clientele is comprised of part-time residents who spend an average of 4 months each year using the current sewer system, Far West appears to be attempting to gain expansion capital for service not rendered. Under close examination, the proposed increase will cost the average part-time resident an average of \$187.90 per month of use while inhabiting their residence.

Current Fee: \$21.75
188% increase: \$62.65
Increased rate per year: \$751.80
Average for a 4 month resident: \$187.95

It is not unexpected to incur small increases in service fees, such as 10-15%, on occasion. It is also expected that a fee for the administrative cost of maintaining service during

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

months of disuse. However, an increase of 188% exceeds simply "excessive".

It would be in the best interest of ACC to advise Far West to consider the implementation of standard tap-fees as employed by similar utility companies. This would serve Far West's need to build expansion capital for future expansion of their utilities, and still serve their current clients at reasonable rates.

Signed by:

- 1 - Gary & Debra Buck
- 2 - William B Wingard
- 3 - Kene Wingard
- 4 - South Foothills Resident
- 5 - Allan C Ward
- 6 - Lillian Timms
- 7 - Lennart A. Anderson
- 8 - Fred & Yvonne Coffey
- 9 - Ronald & Karen Ullom
- 10 - Wes & Sue Stittner
- 11 - Leroy & Yvonne Weisz
- *End of Complaint*

Utilities' Response:

Investigator's Comments and Disposition:

Opinions noted and filed in Docket No. WS-03478A-12-0307.

CLOSED

End of Comments

Date Completed: 1/17/2013

Opinion No. 2013 - 107907

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

because, since 2003, they pay for 6 months of sewer fees despite being unable to flush their toilets because they have returned to their primary residences.

E. Of the "full time" Foothills residents there is a large percentage of Retirees living on a fixed income. Many more are the working class. If the proposed increase passes it would only succeed in further devastating the local economy. There are many folks who live paycheck to paycheck as it is. A fee increase as proposed could potentially force many people to sell or foreclose. With the housing market as it is today, this will only add to the declining economy.

IN CONCLUSION:

* We don't feel that the current customers should incur the costs necessary to cover a new wastewater plant needed to serve future growth. At most this cost should be absorbed by impact fees on the new lots being developed. We believe they have not suggested this because it would reduce the parent company's building profits, in part due to the recession limiting the builder's inability to charge more than the market will bear.

* We further feel that this increase is also being requested as a direct result of negligence on the part of Far West Water & Sewer. It appears as if they're poor planning failed to prevent numerous ADEQ violations. We the customers of Far West Water and Sewer do not feel that this is a cost that should be transferred to current customers.

* We feel that Far West Water and Sewer Co., should have maintained the current facilities as repeated violations have been submitted since 1990 from ADEQ as well as the September 9, 2008, 49 page compliant in Maricopa County Superior Court in which 50 counts were filed against these companies, and again in 2010 when additional fines were filed for wastewater violations and negligence. In 2006 the plant finally came into compliance with ADEQ receiving permission to allow more hookups. Maintaining is what the company should have focused on, but instead they only increased their lagoon by 300%.

THEREFORE, we feel that this enormous increase is not justified. We the current owners feel that the extra charges requested are to aid H & S Developers and Far West Water and Sewer in paying settlements incurred due to lawsuits and penalties owed to ADEQ for lack of safety and loss of life. We also feel it is possible that Far West is trying to offset the costs incurred by H & S Development Co.'s newer developments. Their lack of sales and poor investments are not our responsibility. Far West Water and Sewer and H & S Developers for years should have been investing their revenues in maintaining the system they have in place. If that had been the case, they would not be requesting this large increase.

Other cities in Arizona* have been investigated and it has been found that they have seen rate increases of 5 - 9.5%. A small percentage is acceptable and necessary, but 188% IS NOT. We the customers cannot afford this increase. We hope you will consider our concerns and VOTE NAY on this application Thank you.

Dated this 27th day of December, 2012

*Average Sewer Rates around Arizona"

Tuscon: \$40.89/month- however if you are gone for 1 month or more only monthly service fee of \$11.86 is charged.

Phoenix: \$34.25/ month

1 - Larry Cairncross

2 - Chet and Anya Leeson

3 - Carol Miller

4 - John and Beverly Hodges

**ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM**

- 5 - W. G. Kinevk and V. L. Tyler
- 6 - Patricia Miller
- 7 - Julia Holland
- 8 - Neil Shenyer
- 9 - Clint and Kathlyn Pierce
- 10 - Leon Miller
- 11 - Harold A. Wilson
- 12 - Donna Hanson
- 13 - J. C. Roberts
- 14 - Russell Kemmerer
- 15 - Caroline Guth
- 16 - John Hall
- 17 - Thomas R. Kramer
- 18 - Ervin Fleming
- 19 - Stan Walker
- 20 - Marlin Rasmussen
- 21 - David and Lynda Steinman
- 22 - Michael Van Lieshout
- 23 - Jim Duncan
- *End of Complaint*

Utilities' Response:

Investigator's Comments and Disposition:

Comments entered for the record and filed with Docket Control.
End of Comments

Date Completed: 1/17/2013

Opinion No. 2013 - 107909

WS-03478A-12-0307

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Deb Reagan

Phone: ()

Fax: ()

Priority: Respond Within Five Days

Opinion No. 2013 - 107921

Date: 1/18/2013

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

First:

Last:

Complaint By: PETITION

PETITION

Account Name: PETITION PETITION

Home: ()

Street:

Work:

City: Yuma

CBR:

State: AZ Zip: 85367

is:

Utility Company: Far West Water & Sewer, Inc.

Division: Sewer

Contact Name: Roxanne Fiddes

Contact Phone:

Nature of Complaint:

*****PETITION*****Letters sent in by 11 consumers all OPPOSED*****

BASED ON THE FOLLOWING INFORMATION, we the customers of Far West Water and Sewer Co., would like to ask the Arizona Corporation Commission to NOT APPROVE the application submitted by Far West Water and Sewer Company, Docket No. WS-03478A-12-0307-

A. Far West provides water and sewer services to the Foothills area east of Yuma. There are approximately 8000 residential and commercial customers in this unincorporated area of Yuma County who would receive a rate increase of 188.05%. Once approved this new rate will be the permanent rate and will continue until Far West decided to raise the rates again.

B. Far. West Water and Sewer Co., and H & S Developers have been fined and are required to pay penalties for numerous repeated alleged water and air quality violations dating back as far as 1989, 50 counts filed September 9, 2008 and additional corrections and judgements in 2010 that could amount to judgements of millions of dollars. H & S Developers is also named because it provided the services until forming Far West as a separate company in 1998 when it transferred drinking water and wastewater facilities ownership to the new company.

C. In 2006 Far West Water and Sewer finally came into compliance with ADEQ. The company has now expanded its lagoon by 300%. We speculate that this effort was only put forth to compensate for the recent subdivision that H & S Development Co. started at this time.

D. Winter residents currently flock to Yuma because of the weather and because it is economically feasible to maintain a second home here. Winter residents increase Yuma's population each year by more than 80,000 people with the majority living in the Foothills. This population will be especially affected by this increase

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

because, since 2003, they pay for 6 months of sewer fees despite being unable to flush their toilets because they have returned to their primary residences.

E. Of the "full time" Foothills residents there is a large percentage of Retirees living on a fixed income. Many more are the working class. If the proposed increase passes it would only succeed in further devastating the local economy. There are many folks who live paycheck to paycheck as it is. A fee increase as proposed could potentially force many people to sell or foreclose. With the housing market as it is today, this will only add to the declining economy.

IN CONCLUSION:

* We don't feel that the current customers should incur the costs necessary to cover a new wastewater plant needed to serve future growth. At most this cost should be absorbed by impact fees on the new lots being developed. We believe they have not suggested this because it would reduce the parent company's building profits, in part due to the recession limiting the builder's inability to charge more than the market will bear.

* We further feel that this increase is also being requested as a direct result of negligence on the part of Far West Water & Sewer. It appears as if they're poor planning failed to prevent numerous ADEQ violations. We the customers of Far West Water and Sewer do not feel that this is a cost that should be transferred to current customers.

* We feel that Far West Water and Sewer Co., should have maintained the current facilities as repeated violations have been submitted since 1990 from ADEQ as well as the September 9, 2008, 49 page compliant in Maricopa County Superior Court in which 50 counts were filed against these companies, and again in 2010 when additional fines were filed for wastewater violations and negligence. In 2006 the plant finally came into compliance with ADEQ receiving permission to allow more hookups. Maintaining is what the company should have focused on, but instead they only increased their lagoon by 300%.

THEREFORE, we feel that this enormous increase is not justified. We the current owners feel that the extra charges requested are to aid H & S Developers and Far West Water and Sewer in paying settlements incurred due to lawsuits and penalties owed to ADEQ for lack of safety and loss of life. We also feel it is possible that Far West is trying to offset the costs incurred by H & S Development Co.'s newer developments. Their lack of sales and poor investments are not our responsibility. Far West Water and Sewer and H & S Developers for years should have been investing their revenues in maintaining the system they have in place. If that had been the case, they would not be requesting this large increase.

Other cities in Arizona* have been investigated and it has been found that they have seen rate increases of 5 - 9.5%. A small percentage is acceptable and necessary, but 188% IS NOT. We the customers cannot afford this increase. We hope you will consider our concerns and VOTE NAY on this application Thank you.

Dated this 27th day of December, 2012

*Average Sewer Rates around Arizona"

Tuscon: \$40.89/month- however if you are gone for 1 month or more only monthly service fee of \$11.86 is charged.

Phoenix: \$34.25/ month

- 1 - Kenneth Flesher
- 2 - William Elder
- 3 - Patricia Kennett
- 4 - Charles Wells
- 5 - Ron and Pat Wilson
- 6 - Raymond J. Johnson

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

7 - Herbert and Sharron Cannon
8 - David and Kathy Hermans
9 - Peter D. Brosten
10 - Wanda Tontz
11 - Lloyd and Mary Depee
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Comments entered for the record and filed with Docket Control.
End of Comments

Date Completed: 1/18/2013

Opinion No. 2013 - 107921
