

W-01445A-12-0348



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ORIGINAL

ARIZONA CORPORATION COMM.

UTILITY COMPLAINT FORM

RECEIVED  
AZ CORP. COMMISSION  
DOCKET CONTROL

2013 APR 30 AM 8 39

Investigator: Richard Martinez Phone:

Priority: Respond Within Five Days

Opinion No. 2013 - 110399

Date: 4/26/2013

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

Complaint By: First: Hal Last: Lang

Account Name: Hal Lang Home: (000) 000-0000

Street: Work:

City: Sedona CBR:

State: AZ Zip: 86336 is:

Utility Company: Arizona Water Company

Division: Sedona

Contact Name: Contact Phone: (

Nature of Complaint:

Docket No. W-01445A-12-0348

April 11, 2013

To: Board Members  
Arizona Corporation Commission  
Consumer Service Section  
Hearing room No. 1  
1200 W. Washington St.  
Phoenix, AZ 85007

Fr: Hal Lang

Sedona, AZ 86336

Re: Questions from a Arizona Water Company customer regarding a transparent and full response regarding the water rate increase request per docket no. W 01445A-12-0348.

Dear corporation commission:

I am requesting that you deny the water rate increase by the Arizona Water Co in Sedona, Arizona. The following are factors that should result in a response from the Arizona Water Company to justify the additional increase request.

1. The water company should provide all consumers with a written report of the cost of each gallon of water for Sedona residence in comparison with publice (city) owned water companies to include, Cottonwood, Prescott and Flagstaff, Arizona. In recent past surveys, Sedona residents have been paying a higher rate.

Arizona Corporation Commission  
DOCKETED

APR 30 2013

DOCKETED BY *JM*

# ARIZONA CORPORATION COMMISSION

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2. The Corporation Commission should require the Arizona Water Company to publish the rate of meter failures in Sedona. Should it be the responsibility of the water company to report the failure of their own equipment. It is my belief the water company overcharges customers for the water use when their own meters are inaccurate. The defective rate of their water meters, monthly should be published and compensation to water customers should be mandated by the Commission direction. Silence is deception and one faulty meter is false billing practice. If indeed faulty meters exist until the consumer reports the problem isn't the overcharge consumer fraud?

3. The Arizona Water Company continue to operate their business (pumping operations) on my private property. I have requested for many years that they move their pumping operation to their own adjacent parcel. The Arizona Water company never paid any Yavapai county taxes on this property and I continue to do so. I am requesting the corporation to deny the water company and rate increases until this issue is settled and pump relocated. This breach of my property rights should not be ignored. The business that that the Arizona Water Company is conducting on my property known as parcels \_\_\_\_\_ and Parcel \_\_\_\_\_. I have never made any agreement to provide a water easement nor received any compensation for the use of my property. Repealed requests in writing and in person with water company personnel have been made and rejected. Their trucks continue to trespass my property as recent as April 4, 2013 at 2:30 P.M. Their decompression pump and water sampling should be moved to their own adjacent parcel which is essentially abandoned except for above ground rusted exposed water pipes that service other back o beyond residents. This is a inspection that the city of Sedona should make to determine the possible danger to the water supply that has not been inspected for more than 40 years. My requests with the Arizona Water Company executives have been rejected and now requesting the City of Sedona and the Arizona Corporation Commission Board to step and deny any rate increase until this matter is settled and removal of their business equipment and operation from my property. The records confirm the litigious practice of this water company which includes filing a complaint against the city of Sedona as well as a complaint me for the protection of the for the protection of my own property and jailed in Camp Verde on bogus charges as a form of harassment for my environmental positions that include the unsightly above ground tanks in residential neighborhoods and Forest service lands. If Sedona owned the water company which I have advocated: it would lead to reduced water rates and financial solution to our waste water debt. All other Northern Arizona communities own their own water and waster water utilities and operate in the black. Why does Sedona a community of 10,000 need more than 12 above unsightly water tanks? Cotton weed, obtained through "eminent domain" five years ago control over their water and waste utilities. A water rate increase should not used to build another above groundwater tank. The following are my recommendations to the mayor and Sedona City Council:

1. schedule the rate increase hearing at a public meeting I Sedona. Let the community decide if the second rate increase is justified.
2. the Sedona mayor should appoint a citizen council member committee to study the feasiability of owning the water that would result in lower cost for both waste water and Sedona water supply.
3. Appoint a city council member as a coordinator to oversee water company issue for the Sedona residents which would handle complaints and short and long term issues for the Sedona residents. We need transparency on all impending water company issues.
4. The city of Sedona should publish the comparative rates we will be paying vs. Cottonwood, Prescott, Prescott Valley, and Flagstaff foreach gallon of water.
5. Has the city of Sedona filed a brief with the Arizona Corporation Commission regarding the water company rate increase? If so is a copy of the city's response public and can the residents see the response?

My final and fourth point that needs clarification regarding the Arizona Water Company the question: If the Arizona Water Company (A private corporation) is successful in obtaining a rate increase will it include charging residents for the income tax the water company would have to pay as part of the increase in rates? Two privately owned water companies have won approval of four of the five utility regulators last week. I have been advised that it is possible the Arizona Water Company could likely follow adding about \$2.40 per month to each Sedona resident. Can the Sedona City Council respond in writing and make available to the public the position of paying the tax on income earned by the Arizona Water Company. In my opinion, personal income tax is not a utility expense and should not be paid by rate payers. I would like to refer each member of the Sedona City Council to review the enclosed article from the Arizona Republic of April 14, 2013 by Mr. Ryan Randazzo.

**ARIZONA CORPORATION COMMISSION  
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It is my recommendation that the Sedona City council attend the May rate hearing with a position paper on the issues I have outlined with a Phoenix response before the 4 rate increase my hearing in Phoenix. I respectfully request that you deny the increase.

Respectfully,

Hal Lang

CC : the Honorable Mayor of Sedona  
CC: The Honorable Sedona City Council members  
CC: The Honorable Sedona City Manager

\*\*\*\*\*SEE COMPLAINT # 110411\*\*\*\*\*

\*End of Complaint\*

**Utilities' Response:**

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**Investigator's Comments and Disposition:**

4/29

Emailed to the Phoenix office for docketing.

FILE CLOSED.

\*End of Comments\*

**Date Completed: 4/29/2013**

**Opinion No. 2013 - 110399**

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