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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

Arizona Corporation Commission

COMMISSIONERS

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2013 SEP 24 P 1:42

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED

SEP 24 2013

DOCKETED BY

DAVID SISNEROS,

Complainant,

vs.

TUCSON ELECTRIC POWER COMPANY,

Respondent

DOCKET NO. E-01933A-13-0283

**TUCSON ELECTRIC POWER
COMPANY'S ANSWER TO
FORMAL COMPLAINT**

AND

MOTION TO DISMISS

Expedited Consideration Requested

Tucson Electric Power Company ("TEP" or "Company"), through undersigned counsel, hereby answers the Complaint filed by David Sisneros ("Complainant" or "David Sisneros") docketed on August 29, 2013 and received on September 4, 2013. Moreover, TEP respectfully requests that the Arizona Corporation Commission ("Commission") dismiss Complainant's Complaint for the reasons explained below.

ANSWER

1. TEP admits that David Sisneros, through a web request utilizing the email address tranquilityoforovalley@gmail.com, applied for energy service at 2333 W. Sumaya Place, Tucson, AZ 85741 ("Sumaya Place") on May 23, 2012.

2. TEP admits that it has attached the previously uncollected debt of Dino and Melissa Sisneros in the amount of \$7,985.52 to the account at service address for Sumaya Place. Dino and Melissa Sisneros were the customers of record for TEP account no. 4175114013 at address 1540 W. Daybreak Circle, Tucson, AZ ("Daybreak Circle") from February 12, 2002 through January 14, 2010, at which time electric service was disconnected for non-payment. In

1 September of 2009 an uncollected debt amount of \$4,464.67¹ was transferred to Dino and
2 Melissa's Daybreak Circle account. (See Exhibit 1) At the time the uncollected debt was
3 transferred, Dino and Melissa Sisneros' Daybreak Circle account had a current balance of
4 \$1,268.83. Between September 2009 and January 2010 Daybreak Circle continued to utilize
5 TEP's service and was billed a total of \$2,818.66. However, TEP only received one payment
6 over this time period; \$1,028.00 on October 23, 2009. Dino and Melissa Sisneros failed to
7 maintain current on their non-transferred balance. Despite TEP's willingness to arrange a
8 payment plan with Dino and Melissa Sisneros to repay the previous debt, the arrangements were
9 not kept by the customers. Service was duly disconnected from Daybreak Circle on January 14,
10 2010, leaving an unpaid balance totally \$7,976.45. (See Exhibit 2)

11 3. On January 14, 2010 Dino Sisneros filed an Inquiry with the Commission and TEP
12 responded on January 21, 2010. To TEP's knowledge, no other action was taken by Dino
13 Sisneros or the Commission at that time. (Exhibit 3)

14 4. On the same day as disconnection, January 14, 2010, an attempt at energy diversion
15 occurred in the Daybreak Circle neighborhood, causing other TEP customers to be without
16 power for approximately 4 hours. TEP held Dino Sisneros responsible for the damage done to
17 the transformers and associated facilities, and issued him a bill for the damages in the amount of
18 \$6,952.86,² which has been attached as Exhibit 4.

19 5. TEP had a discussion with Dino Sisneros and explained that service would not be
20 reconnected until the Company received payment for the damaged TEP equipment, in addition to
21 the outstanding balance at Daybreak Circle. As of January 14, 2010, Dino and Melissa Sisneros
22 owed TEP a total of \$14,929.31. TEP did not hear from Dino or Melissa Sisneros again until
23 2013.

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26 ¹ The uncollected debt amount of \$4,464.67 is comprised of an unpaid bill of \$3,996.59 from TEP
Account No. 8571684426 and \$468.08 from TEP Account No. 9580471423.

27 ² The \$6,952.86 was not attached to the Sumaya Place account in 2013 because TEP cannot
transfer a non-utility bill debt to a utility account.

1 6. In May 2012, service was established at Sumaya Place through a web request
2 utilizing the email address tranquilityoforovalley@gmail.com and under the name David
3 Sisneros. In July of 2013, through research and “skip tracing” performed regularly by TEP
4 Customer Service, TEP was able to confirm that Dino and Melissa Sisneros were now residing at
5 Sumaya Place with their son David Sisneros.

6 7. TEP admits that Dino and Melissa Sisneros were added as financially responsible
7 parties to the account at service address Sumaya Place, and as such the \$7,976.45 outstanding
8 balance from Daybreak Circle plus a separate debt of \$9.07³ was transferred to that account, as is
9 permitted under TEP’s Commission-approved Rules and Regulations, Sections: 3.A.7; 3.D.1;
10 3.D.8; and 12.C.1.m.

11 8. TEP admits that on July 22, 2013, David Sisneros filed an informal complaint with
12 the Commission, disputing the transferred balance and disconnect notice. TEP responded to the
13 informal complaint on July 25, 2013. (See Exhibit 5). David Sisneros subsequently
14 communicated with Regulatory Services Coordinate Cara Roll that he wanted his father, Dino
15 Sisneros, to handle this issue. A telephonic mediation was held on August 1, 2013 between Dino
16 Sisneros, Commission Consumer Services Representative Jenny Gomez, and TEP
17 representatives Brian Bub and Ms. Roll. No resolution was reached during the mediation.

18 9. TEP admits that on August 19, 2013, a disconnect notice was mailed to Sumaya Place
19 with a request for a payment of \$8,146.58 to avoid an interruption in service on August 27, 2013.
20 (See Exhibit 6).

21 10. TEP admits that a conference call was held on August 23, 2013 between Dino
22 Sisneros, TEP Counsel Marc Jerden, Brian Bub and Ms. Roll to discuss payment plan options.
23 However, no resolution was reached.

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³ The \$9.07 debt was transferred from TEP account no. 5052587381.

1 11. TEP admits that on August 26, 2013, Dino Sisneros filed an informal complaint with
2 the Commission, disputing the transferred balance on the Sumaya Place account. TEP responded
3 to the informal complaint on August 26, 2013. (See Exhibit 7)

4 12. TEP admits that it did not disconnect service to Sumaya Place on August 27, 2013,
5 and because of David Sisneros Formal Complaint filed on August 29, 2013, TEP is temporarily
6 precluded from disconnecting service due to non-payment for the now formally disputed amount
7 until such time as the dispute is resolved by the Commission.

8 13. TEP denies that that it has placed the debt of a landlord onto a tenant's account.
9 Based on TEP's investigation into this matter, the landlord for the property at Sumaya Place is
10 Mahmoud "Mike" Vossough, not Dino or Melissa Sisneros. According to the landlord of said
11 property, both Dino and Melissa Sisneros reside at Sumaya Place with David Sisneros. Dino and
12 Melissa Sisneros have not provided any evidence that they have never resided, nor are not
13 currently residing, at Sumaya Place.

14 14. TEP denies that it has violated Uniform Commercial Code §§1-308 or 1-103 nor is
15 such provision jurisdictional to the Commission.

16 15. TEP denies any statute of limitations has expired.

17 16. TEP denies that is has violated any portion of Arizona Title 12, Chapter 5, Article 3
18 (A.R.S. §12-540 et al.). David Sisneros is the listed Complainant on the Formal Complaint filed
19 with the Commission. However, the second half of the Complaint is in a different handwriting
20 and is signed "all rights reserved" Dino Sisneros. In this portion of the Complaint, Dino
21 Sisneros, who is not the Complainant, has not plead with specificity as to which Commission
22 statute or rule he is alleging the Company violated. Additionally, it is stated that "a supplement
23 will follow with administrative orders violated and laws disregarded." As of the filing of this
24 Answer and Motion to Dismiss, the Company has not received such supplement.

25 17. TEP denies that it is in violation of its obligations under A.R.S. §40-361 et al. or any
26 Commission regulation.

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1 18. TEP maintains that it acted, and continues to act, in accordance with all applicable
2 Commission requirements, applicable Arizona law, and its Commission-approved Rules and
3 Regulations

4 19. TEP denies each and every allegation not specifically admitted herein.

5 **AFFIRMATIVE DEFENSES**

6 18. Complainant has failed to state a claim upon which relief may be granted.

7 19. Complainant has alleged no “violation of any provision of law or any order or rule
8 of the commission” as required by Arizona Revised Statute § 40-246(A).”

9 20. TEP does not know at this time which, if any, additional defenses may apply.
10 TEP believes that facts may come to light in this case that support any or all of the affirmative
11 defenses set forth in Rule 8(c), Arizona Rules of Civil Procedure, and hereby incorporates them
12 by reference.

13 **MOTION TO DISMISS**

14 David Sisneros Complaint should be dismissed because it is legally deficient and raises
15 issues outside the scope of the Commission’s jurisdiction in an attempt to delay a disconnection
16 of electric service that the Company is duly authorized to perform. Arizona Revised Statute
17 §40-246(A) requires that David Sisneros allege a “*violation of any provision of law or any order*
18 *or rule of the commission*” in order to file a formal complaint.” The Complainant has failed to
19 allege a single violation involving Commission rules, decisions, or provisions of law under
20 TEP’s Commission-approved Rules and Regulations, the Arizona Administrative Code
21 (“AAC”), A.R.S. Title 40, or the Arizona Constitution.

22 While the Complainant did not specifically allege a violation of any specific rule or law,
23 the Company believes David Sisneros in his complaint is attempting to allege that TEP violated
24 its Rules and Regulations Section 12.G.1.b. In his own handwriting on the Complaint, David
25 Sisneros makes the assertion that he, as a tenant, cannot be held liable for his father and mother,
26 as he claims are the landlord’s, previously uncollected debt. TEP’s Rules and Regulations do
27 specifically state “the Company will not attempt to recover from a tenant or condition service to

1 a tenant, upon the prepayment of any outstanding bills or other charges due upon the outstanding
2 account of the landlord.” (TEP’s Rules and Regulations Section 12.G.1.b; A.A.C. R14-2-
3 211(F)(2)) However, Dino and Melissa Sisneros are not the landlords of the property at Sumaya
4 Place and David Sisneros is not their tenant. TEP has verified with Mahmoud “Mike” Vossough
5 that he is the landlord at Sumaya Place, and that Dino and Melissa Sisneros are residing at
6 Sumaya Place.⁴

7 David Sisneros’ underlying claim is that TEP has unlawfully attached Dino and Melissa
8 Sisneros outstanding debt to his existing account at Sumaya Place. But, TEP has the express
9 authority to do just that; therefore TEP has not violated any rule or law. Pursuant to TEP’s
10 Commission-approved Rules and Regulations, if the Company becomes aware that a debtor is
11 enjoying the same class of service at a premises to which he is neither the Applicant nor the
12 listed Customer, TEP is still allowed to attach the outstanding debt to the TEP account connected
13 to that premise at which the debtor is currently residing and list him or her as a financially
14 responsible party.

15 The applicable Commission-approved Rules and Regulations upon which TEP relied
16 upon are as follows:

17 Section 12.C.1.m:

18
19 *Termination of Service with Notice: (1) the Company may*
20 *disconnect service to any Customer for an reason stated below*
21 *provided that the Company has met the notice requirements*
22 *described in Subsection 12.E below: (m) The Company learns of*
23 *the existence of any condition in Section 3.D., Grounds for*
24 *Refusal of Service.*

25 ⁴ Even if a landlord-tenant relationship existed, TEP asserts that it would be against public policy
26 for the Complainant to be afforded the protection of Section 12.G.1.b or A.A.C. R14-2-211(F)(2)
27 in a situation where the debtor/landlord and the customer/tenant could simply establish a
relationship whereby the debtor /landlord could avoid paying the outstanding debt to TEP while
residing at the account address and continue to receive the benefits of electric service. Moreover, it
would undermine the clear purpose of TEP Rules and Regulations Section 3.A.7.

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Section 3.A.7:

[w]here any occupant of the premise who owes a debt to the Company, but is not the Applicant or the Customer, the occupant shall also be jointly and severally liable for the bills rendered at the premises.

Section 3.D:

The Company may refuse service if any of the following conditions exist: (1) When the Applicant has an outstanding amount due for the same class of service with the Company and the Applicant is unwilling to make satisfactory arrangements with the Company for payment, in such cases the Company shall be entitled to transfer the balance due on the terminated service to any other active account of the Customer for the same class of service. The failure of the Customer to pay the active account shall result in the suspension or termination of service. . . (8)Service is requested by an Applicant and a prior Customer, who is either living with the Applicant, or who is an occupant on the premises who owes a debt to the Company from the same class of service from the same or prior service address.

Finally, Dino Sisneros hand wrote additional allegations on the Formal Complaint of named Complainant David Sisneros. Dino Sisneros alleges that TEP has violated UCC §§1-308 and 1-103, as well as all of AZ Title 12, Chapter 5, Article 3. He additionally states that a supplement will follow substantiating these claims. No such supplement has followed. But more importantly, Dino Sisneros is not the Complainant, therefore the individual claims he hand wrote and signed should be disregarded.

TEP has acted in accordance with its Commission-approved Rules and Regulations, (including Section 12.G.1.b) by attaching Dino and Melissa Sisneros's uncollected debt to the account of David Sisneros at Sumaya Place because Dino and Melissa Sisneros are not the landlords of the property. Therefore, as there is no legal basis for this Complaint pursuant to A.R.S. §40-246, TEP requests that this Complaint be dismissed with prejudice.

1 **Request for Expedited Consideration**

2 TEP respectfully requests that this matter receive expedited consideration. Dino Sisneros
3 was found guilty by a federal jury on June 23, 2013 of three counts of wire fraud and two counts
4 of transactional money laundering greater than \$10,000.

5 According the website of the United States Attorney's Office for the District of Arizona:

6 *Sisneros orchestrated a real estate investment fraud scheme*
7 *between 2006 – 2008 during which Sisneros misled investors by*
8 *promising them high rates in return for exchange for their money*
9 *which he said would be used to invest in real estate. However,*
10 *instead of investing in real estate, he used large portions of his*
11 *victims money for his own personal use. . . commingled funds*
12 *towards his own rent payments so he could live in a multimillion*
13 *dollar, 4-story home with an elevator. Sisneros received more*
14 *than \$900,000 from his victims but failed to pay his victims the*
15 *return on their investment as promised.*⁵

16 A conviction for each count of wire fraud carries a maximum penalty of 20 years, a
17 \$250,000 fine or both, and a conviction for each count of transactional money laundering greater
18 than \$10,000 carries a maximum penalty of 10 years, a \$250,000 fine or both. The Federal Court
19 has since denied the Motion for Judgment Acquittal and Motion for New Trial. Dino Sisneros is
20 currently scheduled to be sentenced on Friday, October 11, 2013 at 10 a.m. In light of these
21 circumstances, TEP requests an expedited review of its Answer and Motion to Dismiss.

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⁵ See http://www.justice.gov/usao/az/press_releases/2013/PR_06282013_Sisneros.html

1 Belinda Martin, Administrative Law Judge
Hearing Division
2 Arizona Corporation Commission
400 West Congress Street, Suite 221
3 Tucson, AZ 85701-1547

4 Brian E. Smith, Legal Counsel
Legal Division
5 Arizona Corporation Commission
1200 West Washington Street
6 Phoenix, Arizona 85007

7 Steve M. Olea, Director
Utilities Division
8 Arizona Corporation Commission
1200 West Washington Street
9 Phoenix, Arizona 85007

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EXHIBIT 1

PO Box 80073
Prescott AZ 86304-8073

#BWNDCCF

DINO DAVID SISNEROS
1540 W DAYBREAK CIR
TUCSON AZ 85704

Account:	8571684426
Bill Date:	5-21-2009
Due Date:	6-02-2009

Previous Balance	3,712.43
Payments	0.00
Pledged Contributions	0.00
Current Charges	224.92
Adjustments (Refunds & Fees)	59.24
AMOUNT DUE	3,996.59

2302 N CAMINO CASCABEL, TUCSON, AZ 85749-9323

R-01 - Residential (Closed Service No. 8571689208) 04/23/2009 to 05/13/2009

DELIVERY SERVICES

Customer Charge	7.00
Summer - 1st 500 kWh 310 @ \$0.046925	14.55
Summer - Next 3000 kWh 1,002 @ \$0.06896	69.10
Winter - 1st 500 kWh 190 @ \$0.047309	8.99
Winter - Next 3000 kWh 618 @ \$0.067309	41.60

POWER SUPPLY CHARGES

Summer - kWh 1,312 @ \$0.033198	43.56
Winter - kWh 808 @ \$0.025698	20.76
PPFAC - kWh 2,120 @ \$0.00	

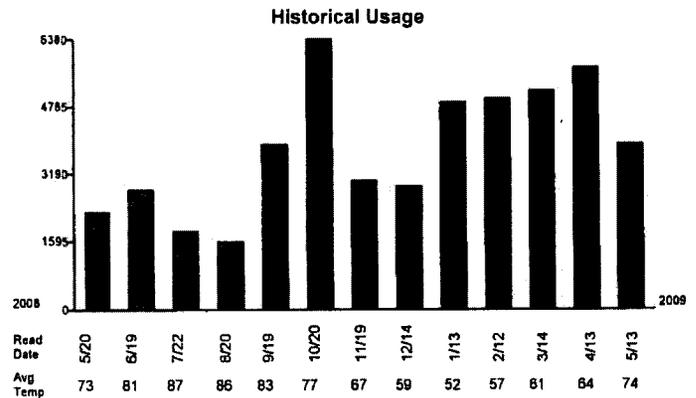
GREEN ENERGY CHARGES

Renewable Energy Standard Tariff	4.50
DSM Surcharge - kWh 2,120 @ \$0.000639	1.35

TAXES AND ASSESSMENTS

AZISA Assessment	0.02
ACC Assessment	0.50
RUCO Assessment	0.06
State Sales Tax	11.87
County Sales Tax	1.06

Total Electric Service Charges	224.92
Late Payment Fee (including taxes)	59.24
Total Charges	284.16



Meter	Unit of Measure	Next Read Date	Current Read Date	Prior Read Date	Days	Current Reading	- Prior Reading	= Reading Difference	x Multiplier	= Usage
XM-995	KWH	5-21	5-13	4-22	21	5586	5480	106	20	2120

Payment Arrangement (Closed Service No. 8571684135)

Payment Arrangement Installment Amount 0.00

Para asistencia en Español, el número de teléfono se encuentra al reverso de esta pagina.

3

DINO DAVID SISNEROS
1540 W DAYBREAK CIR
TUCSON AZ 85704

Account	DUE DATE	AMOUNT DUE	+ Contribution =	Amount Paid
8571684426	06-02-2009	\$3,996.59		

HEERO* Contribution

* Help with Emergency Energy Relief Operation

Add a one-time amount or visit tep.com for monthly enrollment details.

Mail stub with payment to:

TUCSON ELECTRIC POWER COMPANY
PO BOX 80077
PRESCOTT AZ 86304-8077

N 01 8571684426 000371243 D 000399659 D 0



Final Bill

PO Box 80073
Prescott AZ 86304-8073

#BWNDCCF

DINO DAVID SISNEROS
1540 W DAYBREAK CIRCLE
TUCSON AZ 85704

Account:	9580471423
Bill Date:	5-28-2009
Due Date:	6-09-2009

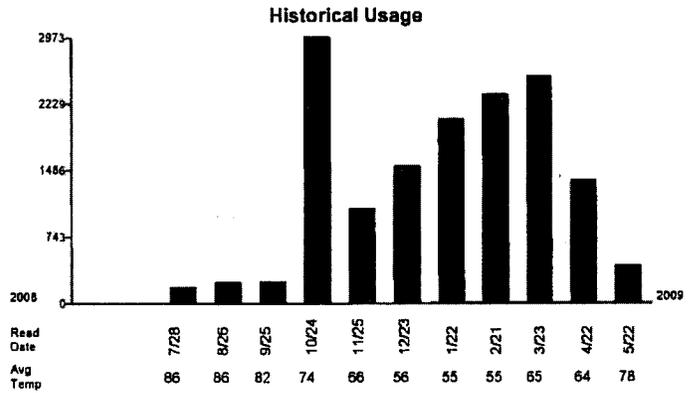
Previous Balance	440.95
Payments	0.00
Pledged Contributions	0.00
Current Charges	27.13
Adjustments (Refunds & Fees)	0.00
AMOUNT DUE	468.08

Additional Financially Responsible: MELISSA D SISNEROS

5221 W RHYOLITE LOOP, TUCSON, AZ 85745-9451

R-201AF-Special Residential (Closed Service No. 9580471752) 04/29/2009 to 05/22/2009

DELIVERY SERVICES	
Customer Charge	7.00
Summer - kWh 201 @ \$0.044138	8.87
Winter - kWh 18 @ \$0.033803	0.61
POWER SUPPLY CHARGES	
Summer - kWh 201 @ \$0.033198	6.67
Winter - kWh 18 @ \$0.025698	0.46
PPFAC - kWh 219 @ \$0.00	
GREEN ENERGY CHARGES	
Renewable Energy Standard Tariff	1.75
DSM Surcharge - kWh 219 @ \$0.000639	0.14
TAXES AND ASSESSMENTS	
ACC Assessment	0.06
RUCO Assessment	0.01
State Sales Tax	1.43
County Sales Tax	0.13
Total Electric Service Charges for R201A	27.13
With Rate R01, your Bill would have been:	27.97



Meter	Unit of Measure	Next Read Date	Current Read Date	Prior Read Date	Days	Current Reading	- Prior Reading	= Reading Difference	x Multiplier	= Usage
XK2-2088	KWH	5-28	5-22	4-28	24	46672	46453	219	1	219

Para asistencia en Español, el número de teléfono se encuentra al reverso de esta pagina.

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DINO DAVID SISNEROS
1540 W DAYBREAK CIRCLE
TUCSON AZ 85704

Account	DUE DATE	AMOUNT DUE	+ Contribution =	Amount Paid
9580471423	06-09-2009	\$468.08		

HEERO* Contribution
* Help with Emergency Energy Relief Operation
Add a one-time amount or visit tep.com for monthly enrollment details.

Mail stub with payment to:

TUCSON ELECTRIC POWER COMPANY
PO BOX 80077
PRESCOTT AZ 86304-8077

Y 01 9580471423 000044095 D 000046808 D 1



Final Bill

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EXHIBIT 2

SISNEROS, DINO DAVID
 SISNEROS, MELISSA D
 1540 W DAYBREAK CIR
 Account No. 4175114013

Date	Financial Transaction Type	Current Amount	Current Balance
01-22-2010	Bill Segment	\$496.09	\$7,976.45
01-15-2010	Bill Cancellation	\$-496.09	\$7,480.36
01-15-2010	Bill Segment	\$496.09	\$7,976.45
01-15-2010	Late Payment Fee - TEP	\$117.41	\$7,480.36
12-14-2009	Bill Segment	\$410.14	\$7,362.95
12-14-2009	Late Payment Fee - TEP	\$109.13	\$6,952.81
11-11-2009	Bill Segment	\$456.95	\$6,843.68
11-11-2009	Late Payment Fee - TEP	\$100.25	\$6,386.73
10-23-2009	Pay Segment	\$-1,028.00	\$6,286.48
10-12-2009	Bill Segment	\$608.73	\$7,314.48
10-12-2009	Late Payment Fee - TEP	\$105.26	\$6,705.75
09-11-2009	Bill Segment	\$846.75	\$6,600.49
09-11-2009	Late Payment Fee - TEP	\$20.24	\$5,753.74
09-11-2009	Skip Trace Transfer - Account to Account	\$4,464.67	\$5,733.50
08-24-2009	Pay Segment	\$-600.00	\$1,268.83
08-11-2009	Bill Segment	\$909.52	\$1,868.83
08-11-2009	Late Payment Fee - TEP	\$15.05	\$959.31
08-07-2009	Pay Segment	\$-562.00	\$944.26
08-06-2009	Pay Segment	\$-640.00	\$1,506.26
07-13-2009	Bill Segment	\$925.69	\$2,146.26
07-13-2009	Late Payment Fee - TEP	\$19.17	\$1,220.57
06-11-2009	Bill Segment	\$685.51	\$1,201.40
06-11-2009	Late Payment Fee - TEP	\$8.10	\$515.89
05-27-2009	Pay Segment	\$-302.73	\$507.79
05-12-2009	Bill Segment	\$482.65	\$810.52
05-12-2009	Late Payment Fee - TEP	\$5.14	\$327.87
04-14-2009	Bill Segment	\$353.92	\$322.73
04-14-2009	Reconnect Fee	\$23.40	\$-31.19
04-06-2009	Pay Segment	\$-1,500.00	\$-54.59

Final Bill

PO Box 80073
Prescott AZ 86304-8073

#BWNDCCF

DINO DAVID SISNEROS
1540 W DAYBREAK CIR
TUCSON AZ 85704-2113

Account:	4175114013
Bill Date:	1-25-2010
Due Date:	2-04-2010

Previous Balance	7,976.45
Payments	0.00
Pledged Contributions	0.00
Current Charges	496.09
Adjustments (Refunds & Fees)	496.09 CR
AMOUNT DUE	7,976.45

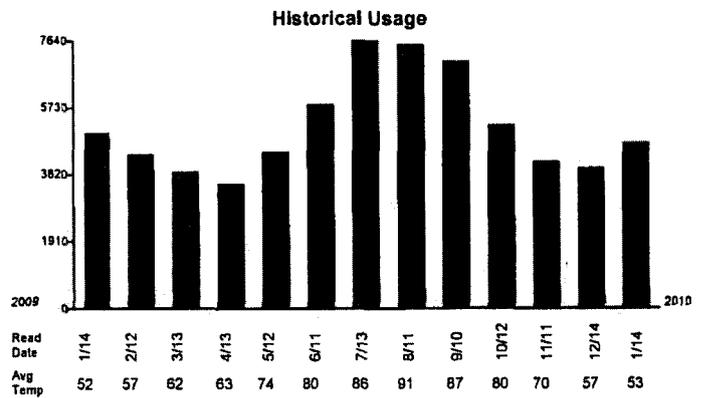
Additional Financially Responsible: MELISSA D SISNEROS

This bill contains corrections totaling \$496.09CR.

1540 W DAYBREAK CIR, TUCSON, AZ 85704-2113

R-01 - Residential (Closed Service No. 4175115834) 12/15/2009 to 01/14/2010

DELIVERY SERVICES	
Customer Charge	7.00
Winter - 1st 500 kWh @ \$0.047309	23.65
Winter - Next 3000 kWh 3,000 @ \$0.067309	201.93
Winter - Above 3500 kWh 1,200 @ \$0.087309	104.77
POWER SUPPLY CHARGES	
Winter - kWh 4,700 @ \$0.025698	120.78
PPFAC - kWh 4,700 @ \$0.00	
GREEN ENERGY CHARGES	
Renewable Energy Standard Tariff	4.50
DSM Surcharge - kWh 4,700 @ \$0.000831	3.91
TAXES AND ASSESSMENTS	
AZISA Assessment	0.04
ACC Assessment	0.80
RUCO Assessment	0.20
State Sales Tax	26.18
County Sales Tax	2.33
Total Electric Service Charges	496.09
Corrections	496.09 CR
Total Charges	



Meter	Unit of Measure	Next Read Date	Current Read Date	Prior Read Date	Days	Current Reading	- Prior Reading	= Reading Difference	x Multiplier	= Usage
AMR3-25538	KWH	2-11	1-15	12-14	32	8963	8493	470	10	4700

An estimated meter read was used to calculate this bill.

Para asistencia en Español, el número de teléfono se encuentra al reverso de esta pagina.

DINO DAVID SISNEROS
1540 W DAYBREAK CIR
TUCSON AZ 85704-2113

Account	DUE DATE	AMOUNT DUE	+ Contribution =	Amount Paid
4175114013	02-04-2010	\$7,976.45		

HEERO* Contribution

* Help with Emergency Energy Relief Operation

Add a one-time amount or visit tep.com for monthly enrollment details.

Mail stub with payment to:

TUCSON ELECTRIC POWER COMPANY
PO BOX 80077
PRESCOTT AZ 86304-8077

N 01 4175114013 000797645 D 000797645 D 6



Final Bill

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EXHIBIT 3

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Richard Martinez

Phone: (520) 628-6555

Fax: (520) 628-6559

Priority: Expedite

Inquiry No. 2010 - 84303

Date: 1/14/2010

Complaint Description: 06B Disconnect/Terminations - Non-Pay
N/A Not Applicable

Complaint By: First: Dino Last: Sisneros

Account Name: Dino Sisneros Home: (520) 981-3249

Street: 1540 W. Daybreak Circle Work:

City: Tucson CBR:

State: AZ Zip: 85704 is:

Utility Company: Tucson Electric Power Company

Division: Electric

Contact Name: Denise Quintero Contact Phone: (520) 884-3651

Nature of Complaint:

*****PLEASE EXPEDITE*****

Customer is upset as he just recently had his electrical services to the above address disconnected. Customer claims he has several properties in the past where he did have services and not TEP combined all those other bills into his current address and is now asking for the total amount to be paid before they will reconnect his services. Customer claims he has since called TEP and told them he would be willing to pay \$2400 for the amount he owes at the current address and that he would be willing to make arrangements on the balances. TEP did not agree to this so customer is now out of service at his home with no other options at this point. Customer did mention that he has been having these problems with TEP for some three years now as TEP made him responsible for another bill that customer claims he called TEP about to take out of his name but the service was never disconnected, therefore; the bill that should have been sent to that tenant using the service also became the responsibility of Dino Sisneros. Customer mentioned that he was working with Brian and another female within the Collections Department but he did not get listened to as TEP insisted in clumping his bills all into his current address.

Please provide the ACC with all of the billing information that customer is being held responsible for.
Why was customer's services disconnected off his premises? Isn't this an "extra" charge for this customer once he decides to reconnect his services?
Was TEP willing to work out a payment arrangement plan with this customer?

Please contact customer and address his concerns and then provide a written response to Commission staff.
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Roll, Cara

From: ACC Complaints - All
Sent: Thursday, January 21, 2010 2:55 PM
To: 'Richard Martinez'
Subject: ACC Inquiry: Sisneros, Dino -TEP Inquiry No. 84303:06B Disconnect/Terminations - Non-Pay**
Attachments: rpt_Complaint_EmailPDF.pdf

Denise Quintero, Tucson Electric Power Company ("TEP") Representative left a voice message for Dino Sisneros on January 18, 2010. Ms. Quintero spoke to Mr. and Ms. Sisneros on January 20, 2010.

TEP disconnected the electrical service at 1540 W. Daybreak Cir. on January 14, 2010 for non-payment.

TEP transferred the delinquent unpaid balance of \$4,464.67 from Mr. Sisneros inactive account to his active TEP account. Ms. Quintero informed Mr. Sisneros that he is responsible for all his past due TEP bills regardless of his current living arrangements.

Since November 2009 TEP has made four (4) payment arrangements with Mr. Sisneros. Mr. Sisneros broke all four payment arrangements. The last payment posted to Mr. Sisneros account was on October 23, 2009.

Ms. Quintero informed Mr. and Ms. Sisneros that when service was reconnected to his premise without authorization or knowledge of TEP that a service interruption was created that affected his neighbors for approximately four hours. In addition the unauthorized attempt to reconnect his service damaged TEP's transformer and associated facilities. TEP will not re-establish electric service to Mr. Sisneros premise until TEP has received full restitution for the damages. In addition Pima County clearances are now required before service can be re-established.

An estimate of the damages caused by the unauthorized service connection was provided to Ms. Sisneros, however, the final cost has not been determined. Other outstanding costs include \$7,976.45 for energy consumption and a security deposit of \$1,170.00 plus a re-establishment fee of \$150.00.

Why was customer's services disconnected off his premises?
For non-payment.

Isn't this and "extra" charge for this customer once he decides to reconnect his services?
The customer will be charged a re-establishment fee to re-establish service.

Was TEP willing to work out a payment arrangement plan with this customer?
TEP made four payment arrangements with Mr. Sisneros. TEP received no payment on any of the agreed arrangements.

From: Richard Martinez [mailto:RMartinez@azcc.gov]
Sent: Thursday, January 14, 2010 3:03 PM
To: ACC Complaints - All
Subject: ACC Complaints: Sisneros, Dino - Complaint No. 84303

Please see the attached complaint. It is in PDF format.

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EXHIBIT 4

PO Box 80073
 Prescott AZ 86304-8073

#BWNDCCF

DINO SISNEROS
 1540 W DAYBREAK CIRCLE
 TUCSON AZ 85704

Account:	8899964342
Bill Date:	3-10-2010
Due Date:	4-08-2010
Previous Balance	0.00
Payments	0.00
Pledged Contributions	0.00
Current Charges	6,952.86
Other Non-Utility Charges	6,952.86
Adjustments (Refunds & Fees)	0.00
AMOUNT DUE	6,952.86

DAMAGE CLAIM (Service No. 8899964662) 03/09/2010 to 03/09/2010

WR 220453
 DAMAGED TRANSFORMER DUE TO TAMPERING AT 1540 W DAYBREAK
 CIR ON 01-17-2010
 IF YOU HAVE ANY QUESTIONS, PLEASE CALL (520) 917-8440.
 LABOR 2,604.87
 MATERIAL 3,157.69
 VEHICLE 1,190.30

Para asistencia en Español, el número de teléfono se encuentra al reverso de esta pagina.

DINO SISNEROS
 1540 W DAYBREAK CIRCLE
 TUCSON AZ 85704

Account	DUE DATE	AMOUNT DUE	+ Contribution =	Amount Paid
8899964342	04-08-2010	\$6,952.86		

Mail stub with payment to:

TUCSON ELECTRIC POWER COMPANY
 PO BOX 80077
 PRESCOTT AZ 86304-8077

HEERO* Contribution
** Help with Emergency Energy Relief Operation*
 Add a one-time amount or visit tep.com for monthly enrollment details.

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EXHIBIT 5

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Jenny Gomez

Phone: (520) 628-6550

Fax: (520) 628-6559

Priority: Respond Within Five Days

Complaint No. 2013 - 111739

Date: 7/22/2013

Complaint Description: 01B Billing - Disputed
N/A Not Applicable

Complaint By: **First:** David **Last:** Sisneros

Account Name: David Sisneros **Home:** (520) 358-5343

Street: 2337 W. Sumaya Place **Work:**

City: Tucson **CBR:**

State: AZ Zip: 85741 **is:**

Utility Company: Tucson Electric Power Company

Division: Electric

Contact Name: Cara Roll **Contact Phone:** (520) 884-3651

Nature of Complaint:

CCOUNT NO. 9793155357

Customer is being asked to pay his mothers and fathers delinquent bill of \$7,945. Customer stated that his mother and father do not live on the property. His parents' names are Dino and Melissa Sisneroa. When customer called TEP CS he was told that there is nothing that can be done.

Please provide a detail status of account.

Why is customer being held responsible for his parent's delinquent account? Please explain.

Please investigate contact customer and respond to ACC.

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Emailed to TEP

End of Comments

Date Completed:

Complaint No. 2013 - 111739

Roll, Cara

From: ACC Complaints - All
Sent: Thursday, July 25, 2013 2:33 PM
To: 'JGomez@azcc.gov'
Subject: ACC Complaints: Sisneros, David - Complaint No. 111739
Attachments: rpt_Complaint_EmailPDF.pdf; ACC Inquiry: Sisneros, Dino -TEP Inquiry No. 84303:06B Disconnect/Terminations - Non-Pay**; Sisneros Disconnect Notice.pdf

Cara Roll, Tucson Electric Power Company (TEP) Representative attempted to speak to David Sisneros on July 25, 2013 at the phone number listed on the Arizona Corporation Commission (ACC) Complaint; however, the phone number was not in service. Ms. Roll attempted to contact Mr. Sisneros at the phone number listed on Mr. Sisneros' TEP account (520-312-5184), and left a message with a female indicating Ms. Roll would email Mr. Sisneros TEP's response at the email address listed on his TEP account, which is tranquilityoforovalley@gmail.com.

Please provide a detail status of account.

Please refer to ACC Inquiry 2010-84303 and TEP's response for more information regarding this ACC Complaint (attached).

Why is customer being held responsible for his parent's delinquent account? Please explain.

On July 16, 2013, TEP confirmed with the landlord of 2333 W. Sumaya Place, Tucson, AZ that Dino and Melissa Sisneros reside at and are tenants of 2333 W. Sumaya Place, Tucson, AZ. At that time, TEP transferred their unpaid balance of \$7,985.52, as described in the attached ACC Inquiry and response.

A disconnect notice was mailed on July 22, 2013 with a request for a payment of \$8,119.35 to avoid a disconnection on or after July 30, 2013 (see attached).

Please refer to TEP ACC-approved Rules and Regulations, Section 3.D.1, 3.D.8 and 11.C.1.m.

D. Grounds for Refusal of Service

The Company may refuse to establish service if any of the following conditions exist:

1. When the Applicant has an outstanding amount due for the same class of service with the Company and the Applicant is unwilling to make satisfactory arrangements with the Company for payment, in such cases, the Company shall be entitled to transfer the balance due on the terminated service to any other active account of the Customer for the same class of service. The failure of the Customer to pay the active account shall result in the suspension or termination of service.
8. Service is requested by an Applicant and a prior Customer, who is either living with the Applicant, or who is an occupant of the premises who owes a debt to the Company from the same class of service from the same or a prior service address.

C. Termination of Service With Notice

1. The Company may disconnect service to any Customer for any reason stated below provided that the Company has met the notice requirements described in Subsection 12.E. below:

m. The Company learns of the existence of any condition in Section 3.D., Grounds for Refusal of Service.

From: Jenny Gomez [mailto:JGomez@azcc.gov]
Sent: Monday, July 22, 2013 8:32 AM
To: ACC Complaints - All
Subject: ACC Complaints: Sisneros, David - Complaint No. 111739

PO Box 80077
Prescott AZ 86304-8077

Account: 9793155357
Notice Date: July 22, 2013
Customer Name: DAVID JOHNATHAN SISNEROSDINO
DAVID SISNEROS, MELISSA D
SISNEROS
Service Address: 2333 W SUMAYA PL
Service Agreement ID: 9793155086



#BWNDCCF

DAVID JOHNATHAN SISNEROS
2333 W SUMAYA PL
TUCSON AZ 85741-3708

TERMINATION DATE	DELINQUENT AMOUNT
07/30/2013	\$8,119.35

DISCONNECT NOTICE

Company records indicate your account is delinquent in the amount of \$8,119.35, which must be paid prior to the termination date of 07/30/2013.

*If you are unable to pay the delinquent amount in full, or if you wish to dispute the reason for termination or discuss possible deferred payment options, please call us at (520) 623-7711 or 1-800-328-8853 **PRIOR TO** the scheduled termination date.*

If service is terminated, the delinquent amount plus a reconnect fee will be required to restore service. Be advised, a security deposit may also be required.

Para asistencia en Español, el número de teléfono se encuentra al reverso de esta pagina.

DAVID JOHNATHAN SISNEROS
2333 W SUMAYA PL
TUCSON AZ 85741-3708

Account	Termination Date	Delinquent Amount	Amount Paid
9793155357	07/30/2013	\$8,119.35	

Mail stub with payment to:

TUCSON ELECTRIC POWER COMPANY
PO BOX 80077
PRESCOTT AZ 86304-8077

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EXHIBIT 6

PO Box 80077
Prescott AZ 86304-8077

Account: 9793155357
Notice Date: August 19, 2013
Customer Name: DAVID JOHNATHAN SISNEROSDINO
DAVID SISNEROS, MELISSA D
SISNEROS
Service Address: 2333 W SUMAYA PL
Service Agreement ID: 9793155086



#BWNDCCF
DAVID JOHNATHAN SISNEROS
2333 W SUMAYA PL
TUCSON AZ 85741-3708

TERMINATION DATE	DELINQUENT AMOUNT
08/27/2013	\$8,146.58

DISCONNECT NOTICE

Company records indicate your account is delinquent in the amount of \$8,146.58, which must be paid prior to the termination date of 08/27/2013.

*If you are unable to pay the delinquent amount in full, or if you wish to dispute the reason for termination or discuss possible deferred payment options, please call us at (520) 623-7711 or 1-800-328-8853 **PRIOR TO** the scheduled termination date.*

If service is terminated, the delinquent amount plus a reconnect fee will be required to restore service. Be advised, a security deposit may also be required.

Para asistencia en Español, el número de teléfono se encuentra al reverso de esta pagina.

DAVID JOHNATHAN SISNEROS
2333 W SUMAYA PL
TUCSON AZ 85741-3708

Account	Termination Date	Delinquent Amount	Amount Paid
9793155357	08/27/2013	\$8,146.58	

Mail stub with payment to:

TUCSON ELECTRIC POWER COMPANY
PO BOX 80077
PRESCOTT AZ 86304-8077

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EXHIBIT 7

**ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM**

Investigator: Jenny Gomez

Phone: (520) 628-6550

Fax: (520) 628-6559

Priority: Expedite

Complaint No. 2013 - 112420

Date: 8/26/2013

Complaint Description: 01B Billing - Disputed
N/A Not Applicable

Complaint By: **First:** Dino **Last:** Sisneros

Account Name: Dino Sisneros **Home:** (520) 358-5343

Street: 2337 W. Sumaya Place **Work:**

City: Tucson **CBR:**

State: AZ Zip: 85741 **is:**

Utility Company: Tucson Electric Power Company

Division: Electric

Contact Name: Cara Roll **Contact Phone:** (520) 884-3651

Nature of Complaint:

*****EXPEDITE*****SERVICE WILL BE TERMINATED ON 8/28/2013*****

REFERENCE COMPLAINT NO. 2010-84303 dated 01/14/2010 and 2013-111739 dated 7/22/2013

Consumer called the ACC after speaking with TEP. Consumer stated that his son's TEP account is going to be disconnected on 8/28/2013. Consumer stated that TEP has violated his rights by trying to collect \$7,800 from him through his son's TEP account. Consumer stated that he is the Landlord of the property located at 2337 W. Sumaya Place, Tucson, Arizona 85741 by written contract to purchase/buy property and that TEP has verified this. Consumer stated that this delinquent amount should be placed into his LLC by the name of "Sha Sha She LLC" and not his son's TEP account. Consumer stated that this delinquent amount is owed by him not his tenant. Mr. Sisneror stated that his tenant ("son") should not be responsible for his delinquent bill

Please investigate contact customer and respond to ACC.

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

8/26/2013 Emailed to TEP

End of Comments

Date Completed:

Complaint No. 2013 - 112420

Roll, Cara

From: ACC Complaints - All
Sent: Monday, August 26, 2013 11:58 AM
To: JGomez@azcc.gov
Subject: ACC Complaints: Sisneros, Dino - Complaint No. 112420
Attachments: rpt_Complaint_EmailPDF.pdf

Cara Roll, Tucson Electric Power Company (TEP) Representative attempted to speak with Dino Sisneros multiple times on August 26, 2013; however, a recording stated "The Cricket customer you called is unavailable either because the phone is off or is outside the service area. Please try your call again later." Therefore, TEP e-mailed the response to tranquilityoforovalley@gmail.com on August 26, 2013.

Ms. Roll restated that TEP intends to terminate service at 5pm on August 27, 2013 absent a confirmed payment in the amount of \$5,263.15.

On July 22, 2013, TEP received Arizona Corporation Commission (Commission) Complaint No. 111739 filed under the name David Sisneros. David Sisneros communicated to Ms. Roll that this was his father's (Dino Sisneros) issue and to only deal with his father.

On July 25, 2013, TEP responded to the informal complaint providing TEP's Commission-approved Rules and Regulations which entitles TEP to transfer the balance to the active account.

On August 1, 2013, mediation was held between TEP and Dino Sisneros. Mr. Sisneros was notified to make a payment for the unpaid balance.

On August 19, 2013, a disconnect notice was mailed with a request for a payment of \$8,146.58 to avoid a service interruption on August 27, 2013.

On August 23, 2013, TEP Senior Legal Counsel Marc Jerden, Customer Service Manager Brian Bub and Ms. Roll spoke with Dino Sisneros. Mr. Sisneros offered to pay \$1,200 on September 20, 2013 and \$1,200 in October and November. TEP notified Mr. Sisneros that his offer was unacceptable. TEP agreed to waive \$722.37 in late fees, and Mr. Sisneros would need to make a payment of \$5,263.15 before August 27, 2013 to avoid a service interruption. TEP would then set up a payment arrangement for the remaining balance of \$2,000 (\$200/month for 10 months). Once this was paid, TEP would no longer pursue payment of the non-utility damage bill in the amount of \$6,952.86 (see ACC Complaint No. 2010-84303).

On August 23, 2013, TEP confirmed with the landlord of 2333 W. Sumaya Place that nothing has changed with the lease agreement. Dino and Melissa Sisneros are the lessees and Dino Sisneros is not the landlord.

From: Jenny Gomez [mailto:JGomez@azcc.gov]
Sent: Monday, August 26, 2013 9:20 AM
To: ACC Complaints - All
Subject: ACC Complaints: Sisneros, Dino - Complaint No. 112420

Please see the attached complaint. It is in PDF format.

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