

BROOKE UTILITIES, I



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July 7, 2014

ADRP COMMISSION
DOCKET CONTROL

Chairman Stump and Commissioners
Arizona Corporation Commission
Docket Control
1200 West Washington Ave.
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

JUL 15 2014

ORIGINAL

DOCKETED BY 

In re: ***Docket No. RU-00000A-14-0014: Proposed Rules Relating to Release
Of Customer Information***

Dear Chairman Stump and Commissioners,

On behalf of our Arizona public service corporations, Brooke Water LLC and Circle City Water Co. LLC, we appreciate the opportunity to comment on the above referenced proposed Rules. We believe there is little doubt that the vast majority of individuals and companies involved in the Arizona utility industry recognize the importance of customer information confidentiality. The fact that the industry is, to the best of our knowledge, absent of any substantial breach of such confidentiality is evidence of the seriousness taken by industry of this matter.

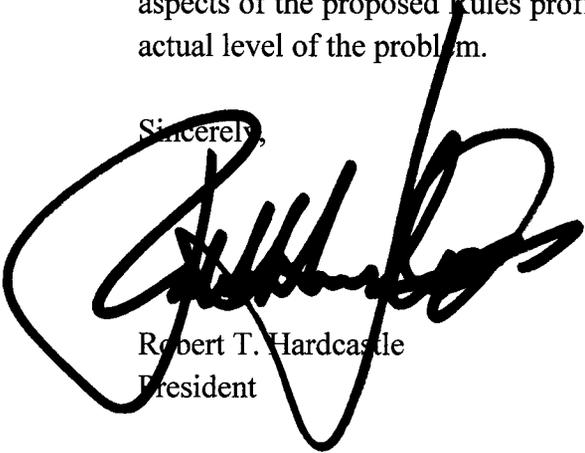
We believe the proposed Rules may, at best, be largely unnecessary and, at worst, be substantially costly and penalizing to many of the small Arizona water utility companies. The extensiveness of the proposed Rules seems to provide many opportunities for non-compliance, litigation, and costly and lengthy regulatory proceeding.

We are very concerned that the proposed Rules at R14-2-2201 (5) propagate a definition of "customer" that materially varies from the traditional definition found in R14-2-401 (9). The former proposed definition, as compared to the existing definition, in cases where the customer of record (in whose name service is rendered) is not the party receiving service, further complicates the operational and administrative responsibilities of the industry to determine exactly who the "customer" is that is subject to the extensive proposed new Rules¹. It seems unclear how the proposed Rules definition of "Third Party" at R14-2-2201 (14) assists this understand and, undoubtedly, makes the interpretation of "customer" even further confusing.

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We urge the Commission to proceed cautiously and carefully in considering adoption of the proposed Rules in light of the seriousness already manifest in the utility industry. We believe this process can be regulatorily considered in an informal way that may address the legitimate aspects of the proposed Rules proffered by Staff and, at the same time, appropriately address the actual level of the problem.

Sincerely,



Robert T. Hardcastle
President

EC: 13 copies attached hereto.

i Consider the occasional circumstances involving an absent property owner that may be the “customer of record” allowing a tenant, maybe under a formal rental or lease agreement, or maybe not, who may have allowed friends, relatives, or acquaintances to temporarily or permanently occupy the property without knowledge of the “customer of record”. Who is the “customer” that is subject to the proposed Rules of R14-2-2201 as compared to the traditional “customer” as described by R14-2-401 (9)?