



ARIZONA CORPORATION COMMISSION  
FORMAL COMPLAINT FORM  
FORMAL COMPLAINT

WS-02987A-15-0261

0000162441

BRIAN KAK

COMPLAINT NUMBER

121366

DATE

6-27-2015

ADDRESS

1343 E Santa Fe Ave & Santa Valley, AZ 85140

PHONE (HOME)

602-507-1343

NAME OF RESPONSIBLE PARTY

Johnson Utilities

PHONE (WORK)

480 987-9870

NAME OF UTILITY

Johnson Utilities

ACCOUNT NUMBER

00123823-04 and 00123823-05

GROUND(S) FOR COMPLAINT: (COMPLETE STATEMENT OF THE GROUNDS FOR COMPLAINT, INDICATING DATE(S) OF COMMISSION/OMISSION OR ACTS OR THINGS COMPLAINED OF.) (USE ADDITIONAL PAGE IF NECESSARY.)

Johnson Utilities violated R14-2-603 Establishment of Service (2) appear at business show proof of identity and sign utility application (D) Service Establishment re-establishment Reconnect (2) customer facilities are ready for service

R14-2-604 Minimum Customer Information Requirement

(1) Each utility shall make available upon customer Request no later than 60 days (a)(b)(2)(3) a b c d

R14-2-605 Service Connections

(1) Customer has complied with utilities application

R14-2-607 Provisions of Service (A) Utility Responsibility

(1) Each Utility shall be Responsible for the safe conduct and handling of sewage from Customer's part of collection

NATURE OF RELIEF SOUGHT: (USE ADDITIONAL PAGE IF NECESSARY.)

I want my house professional cleaned & Repaired according to the Estimate from Servpro which I mailed to Stephanie Blos. They also should have to pay punitive damages for making my mental illness aggravated.

ORIGINAL

Arizona Corporation Commission

DOCKETED

JUL 13 2015

DOCKETED BY [Signature]

SIGNATURE OF COMPLAINANT OR ATTORNEY

[Signature]

RECEIVED  
2015 JUL 13 P 1:43  
AZ CORP COMMISSION  
DOCKET CONTROL

ARIZONA CORPORATION COMMISSION  
FORMAL COMPLAINT FORM

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GROUND FOR COMPLAINT: (CONTINUED)

12/366

RH-2-110 Administrative and Hearing Requirements  
(A) Customer Service Complaints (1)(2)(3)(4)(5)

Johnson Utilities have violated I believe all of the above Rules. I sent them 2 emails which they told Arizona Corporation Commission they received alerting them that Maureen Rak has passed away July 10 2014 and to change the name on the account to BRIAN RAK. I gave them my email and phone number which they ignored. Johnson Utilities plugged my sewer line at 1343 E Santa Fiove St San Tan Valley, AZ 85140 at which time on Aug 2014 the house became mine. They plugged the line in March 8, 2015 and did not notify me of service interruption. Raw sewage and human waste backed up into my home and caused over \$10,000 dollars in damages which came from an estimate done by SERVPRO. AFTER ACC contacted them on my behalf did they finally contact me and had me bring my mothers death certificate to their office in April 2015 but they never had me sign any application of fulling what the cost of their service was. I complained to them stating they should fix the damage they cause to my house for their negligence which my complaint was ignored. AFTER ACC urged Johnson Utilities take my complaint and damage seriously they still ignored the rules which they violated. They never sent me anything in writing only telling me my claim was cleared cause they tried to contact me with the information on the account. In my email to them the person on the account is deceased so why didnt they contact me either by letter to my address, my email, my phone number which they had in the emails they are correct and should fix my house since they plugged a dead persons line.

Complaint Number 121366

Brian Rak  
1343 E Santa Fiore St  
San Tan Valley, AZ 85140

Arizona Corporation Commission  
Utilities Division  
1200 West Washington  
Phoenix, AZ 85007

6/26/2015

**RE: Formal Complaint Against Johnson Utilities**

Here is what my complaint is about. My mother Marlene Rak who owns this house at 1343 E Santa Fiore St. San Tan Valley, AZ 85140 passed away July 10, 2014. I then filed her death certificate with the Pinal County Assessors Office in Apache Junction in Aug 2015. My mother Marlene had a transfer on death beneficiary deed on file and I then officially became the new owner of the property on record. I sent out emails to all of her utility companies such as SRP, City of Mesa, The Town of Queen Creek, Cambria Homeowners Association and of course Johnson Utilities. I sent the same email to all of them except I changed the account number for each of the Utility Companies that the account number went with. I stated to the utility companies that Marlene Rak has passed away on July 10, 2014 and that they needed to change the account to myself Brian Rak since I am the owner to the property. I had no trouble with the companies they were very professional like the city of Mesa who sent me a copy of their service policy which also included payments and billing terms. They also had me pay a \$125 dollar deposit and who had me disconnect her service and told me that a service tech would be out the next day to reconnect the service. SRP had no trouble changing the bill to my name I have enclosed a copy of my bill dated 9/16/2014 showing the bill in my name. Cambria Homeowners Association sent me a letter dated 09/10/2014 in that letter they stated that I would need to send them a copy of Marlene's Death Certificate to change the name on the account which I did and I have enclosed a copy of the of that letter and also the next bill with the account in my name date 10/01/2014. I also sent two emails to Johnson Utilities which I sent one in Aug 2014 when I became the owner of the property and I never heard back from them no email, no letter, no phone call. I then sent a second in Oct 2014 email stating the same thing that my mother Marlene Rak has passed away back in July 2014 and that they need to change the account and put it into my name. They had my current email my current phone in those emails I never heard back from them and I kept paying the bill in her name but with a check in my name from July thru Dec 2014 because Johnson Utilities would not change the name on the bill. I never received another bill from Johnson Utilities until I found that the next thing that happened was in March 2015 I woke up to my house being flooded with raw sewage and human waste in my bathroom, two bedrooms, two closets, and part of the hallway and living room. I didn't know what was causing the problem I thought my toilet broke so I went out and purchased a new one but that didn't stop it. I then contacted ServPro of Central Mesa and they told me maybe my sewer line was plugged with a balloon by Johnson Utilities. I then called Johnson Utilities on March 8, 2015 and spoke to a young man I told him what had happened to my house and he told me that in fact my line was plugged by Johnson Utilities and that they couldn't do anything. I then asked him can you send somebody out here to clean up house and unplug my line since it wasn't Marlene's House and that she passed away back in July 2014 and he then gave me the supervisors cell phone number and said he has the power to send

somebody out to unplug my sewer line. I called and left a message and he called me back a few hours later and said he would send somebody out to unplug my sewer line which in fact he did. The business day I called Johnson Utilities and spoke to a customer service person and explained to them what had happened and they told me that Marlene's line was plugged due to delinquent payment and I said I wrote Johnson Utilities twice telling you that Marlene Rak passed away back in July of 2014 and that the house belonged to myself Brian Rak since Aug 2014. They then said well you should have paid your bill and I explained to them that I can't pay a bill if I don't receive a bill and that the post office stopped all Marlene's Rak mail because I told them back in July that Marlene had passed away and that starting in Jan 2015 they stopped all of her mail. I then said to Johnson Utilities that you should have changed the bill into my name like I wrote to you in the two emails you received. instead of ignoring it and that it was Johnson Utilities negligence that cause the damage to my home and I was even a customer at the time. I call and recorded the phone call explaining to them I want to file a damage claim because they destroyed my house and they ignored that also. I then contacted Arizona Corporation Commission and spoke to Carmen and after she contacted Johnson Utilities on my behalf she called me back and explained to me what Johnson Utilities told her. They stated that they did in fact receive the 2 emails that I sent them and they also explained that they tried to contact me through my deceased mothers information which was turned off soon after she passed. Then I spoke to Connie and she contacted Johnson Utilities on my behalf to get them to accept my damage claim and Connie asked me to contact servpro again and get a written estimate on the damages to repair them and Connie said to mail it to Stephanie at Johnson Utilities which I did and soon after Connie contacted Johnson Utilities they called me back that same day and asked me to come into the office and bring my mothers death certificate which I did. They didn't have me sign any contract they didn't give me any paperwork explaining their tariffs or how they would charge me. As a matter of fact the female I spoke with at Johnson Utilities told me that I was banned from using their services and she then asked me to leave their building which I did. Then the next day Johnson Utilities called me 4 times and finally I called them back and they asked me for my social security number and I asked them what for and he said we forgot to get it from you yesterday. Johnson Utilities then called me in June and said that they were denying my claim and I asked them what for and he said because we tried to contact you with the information on the account with Marlene's name. I said that my mother has been deceased since July of 2014 and that information is closed her phone her email her cell phone. I asked him how did you try and contact me with a call or email please explain and he then hung up on me.

In conclusion the bottom line is that all the other utilities I contacted with the same email all changed my accounts into my name by latest Oct 2014 which includes SRP, The City of Mesa, The Town of Queen Creek, Cambria Homeowners Association and the only one who ignored my email was Johnson Utilities and the damages to my house were complete negligence on the part Johnson Utilities if the would have responded and had me bring them whatever information they need to setup the account into my name this could have all been avoided. Do to their negligence and violations of the rules my house was damaged and I want Johnson Utilities to pay to have my house cleaned professional the correct way.

[Type the closing]

Brian Rak

1343 E Santa Fiore St

San Tan Valley, AZ 85140

*Brian Rak*



6940-22  
CAMBRIA OCOTILLO  
1600 W. Broadway Rd, Suite 200  
Tempe, AZ 85282-1112

Complaint Number 121366

BRIAN RAK  
1343 E Santa Fiore Street  
San Tan Valley, AZ 85140

Brian:

We would need a copy of the  
Death certificate in order to change  
the name on the account.

Please fill out form and include  
appropriate documentation.

As soon as that comes in we can get  
statement out to you.

Thank You!

PS. Please include a current phone number.

