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Docket Number: W-01539A-16-0353

Rose Valley Water Company

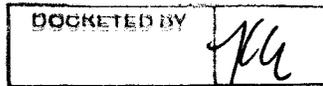
Response to Formal Complaint filed October 3rd, 2016

Ms. Kay Mecca
Arizona Corporation Commission
Docket Control
1200 W. Washington
Phoenix, AZ 85007

Arizona Corporation Commission

DOCKETED

OCT 27 2016



2016 OCT 27 AM 10:58
AZ CORP COM
DOCKET CONTROL

Rose Valley Water Company (RVW) appreciates the opportunity to respond to this subject complaint and respectfully requests the following exhibits included in this response, to be noted:

EXHIBITS:

- EXHIBIT 1 – Informal complaint filed on August 13, 2013 with attached response.
- EXHIBIT 2 – Copy of 2013 standard obstruction letter sent to any customer in RVW’s service area.
- EXHIBIT 3 – Timeline from October 2004 through October 2016 regarding Mr. Stapps claim of retaliation.
- EXHIBIT 4 – Letter of termination to Mr. Stapp dated August 29, 2013 regarding obstruction.
- EXHIBIT 5 – written MOU by e-mail dated October 14, 2013 2:01PM with Mr. Stapp after mediation with Trish Meeter.
- EXHIBIT 6 – written response by Mr. Stapp dated October 14, 2013 2:32PM.
- EXHIBIT 7 – written correspondence on October 15, 2013 12:41PM to Trish Meeter at Arizona Corporation Commission (ACC) regarding Response by Mr. Stapp dated October 14, 2013. Response by Trish Meeter dated October 15, 2013 at 2:15PM
- EXHIBIT 8 – written response to Mr. Stapp on October 18, 2013 at 9:11AM by Gary Brasher, President - RVW after consulting with Trish Meeter.
- EXHIBIT 9 – written response from Mr. Stapp on October 18, 2013 at 12:38PM to Gary Brasher agreeing to “keep bush trimmed”.
- EXHIBIT 10 – written e-mail correspondence dated July 27, 2016 from Gary Brasher, President of RVW to Jeff Stapp regarding obstruction.
- EXHIBIT 11 – written response from Mr. Stapp dated July 27, 2016 admitting the bush was “out of control”.
- EXHIBIT 12 – written e-mail from Mr. Stapp dated July 25, 2016 that admitted he would do a better job of trimming in the future.

EXHIBIT 13 & 14 – Obstruction letters to Mr. Stapp dated August 17, 2015 and September 21, 2015.

EXHIBIT 15, 16 & 17 – Obstruction letters to Mr. Stapp dated May 18 (first notice), June 20 (second notice), and July, 18 2016 (third notice).

EXHIBIT 18 – Letter dated July 20, 2016 notice of termination for obstruction with termination date set for July 30, 2016.

EXHIBIT 19– Letter of termination to Mr. Stapp dated August 16, 2016 regarding obstruction and VOID MOU dated October 14, 2013.

EXHIBIT 20 – e-mail from Mike Buck at ACC informing RVW that the informal complaint by Mr. Stapp was closed on September 15, 2016.

EXHIBIT 21 – Informal Complaint by Mr. Stapp dated August 4, 2016 with RVW Response attached.

EXHIBIT 22 – courtesy e-mail dated September 29, 2016 to Mr. Stapp regarding obstruction removal and eligibility for termination of service.

Exhibit 23 – Formal Complaint filed October 3, 2016.

EXHIBIT 24 – Documented phone message dated May 24, 2010 regarding obstruction and conversation regarding Mr. Stapp will trim.

EXHIBIT 25 – Phone message re: disconnect notice from obstruction dated May 12, 2010.

EXHIBIT 26 – ACC Fax dated September 10, 2013 re: follow-up complaint

EXHIBIT 26a – Response to ACC Fax dated September 10, 2013

EXHIBIT 27– photograph dated August 18, 2015

EXHIBIT 28 - photograph dated September 10, 2015

EXHIBIT 29– photograph dated May 17, 2016

EXHIBIT 30– photograph dated August 13, 2016

EXHIBIT 31- photograph dated September 9, 2013 prior to trimming by RVW Crew.

EXHIBIT 32– photograph dated September 9, 2013 after trimming by RVW Crew.

EXHIBIT 33 – photograph dated August 3, 2016 prior to termination of service.

EXHIBIT 34 – photograph dated August 4, 2016 after termination and prior to re-establishment of service.

EXHIBIT 35– Dove Valley Ranch Parcel 6 Plat of utility easements.

DEFINITIONS:

R14-2-410

C – Termination of service with notice

1. A utility may disconnect service to any customer for any reason stated below providing the utility has met the notice requirements established by the Commission:

d. Failure of the customer to provide the utility reasonable access to its equipment and property

R14-2-408

D – Access to customer premises

Each utility shall have the right of safe ingress to and egress from the customer's premises at all reasonable hours for any purpose reasonably connected with the utility's property used in furnishing service and the exercise of any and all rights secured to it by law or these rules.

R14-2-407

B – Customer responsibility

1. Each customer shall be responsible for maintaining all facilities on the customer's side of the point of delivery in a safe and efficient manner and in accordance with the rules of the state Department of Health.
2. Each customer shall be responsible for safeguarding all utility property installed in or on the customer's premises for the purposes of supplying water to that customer.
3. Each customer shall exercise all reasonable care to prevent loss or damage to utility property excluding ordinary wear and tear. The customer shall be responsible for loss or damage to utility property on the customer's premises arising from neglect, carelessness, or misuse and shall reimburse the utility for the cost of necessary repairs or replacements.

R14-2-405

Service connections and establishments

C – Easements and rights-of-way

1. Each customer shall grant adequate easement and right of way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service.
2. When a utility discovers that a customer or his agent is performing work or has constructed facilities adjacent to or within an easement or right-of-way and such work, construction or facility poses a hazard or is in violation of federal, state or local laws, ordinances, statutes, rules or regulations, or significantly interferes with the utility's access to equipment, the utility shall notify the customer or his agent and shall take whatever actions are necessary to eliminate the hazard, obstruction or violation **at the customer's expense**.

DESCRIPTION OF OBSTRUCTION:

Oleander plants are durable shrubs or trees that contain a gummy, clear sap. The leathery lance-shaped foliage is deep green and may be arranged opposite along the stems or in whorls. Oleander's funnel-shaped flowers bloom in clusters at the twig tips from summer to fall, and come in shades of white, pink, red, or yellow. The flowers are often abundant, and some oleander varieties give off a pleasant fragrance. Oleanders typically grow to between 6 and 12 feet tall, with a spread of the same width, but some may be trained to grow into small trees that reach up to 20 feet tall.

Oleander plants contain several toxic elements, including cardiac glycosides, saponins, digitoxigenin, oleandrin, oleandroside, nerioside and other unknown toxins. These poisons are found in all parts of the oleander plant and are toxic whether the plant parts are dried or green. Ingestion of any part of the oleander plant can lead to serious illness and possibly death.

The International Oleander Society says that you should be sure to wash your hands and arms thoroughly when finished working with the plant.

Comments in Grounds for Complaint filed by Mr. Stapp that are false:

Mr. Stapp's formal complaint filed on October 3rd, 2016 contains errors, omissions, and is completely false regarding accusations that Rose Valley Water Company has lied, harassed, singled out, extorted, or has treated this obstruction differently than other obstructions in its service area. Rose Valley Water Company has followed the above referenced rules in all cases and simply requires obstructions to be maintained to its standards to provide a safe environment for its employees to work, and to have access to its equipment to operate properly and to efficiently conduct billing operations, maintenance, testing and repairs.

Mr. Stapp accuses Rose Valley Water Company of harassment beginning in the summer of 2013. The obstruction located at 20371 N. 89th Drive became an issue in 2004. Please note exhibit 1 – RVW Response to informal complaint filed August 13, 2013. Documentation regarding the obstruction began October 2004. It is the use and application of ACC rules that require written communication. Mr. Stapp believes this process to be directed to him personally, when it is just the way RVW is required to follow rules and regulations of the ACC and communicate in cases like these.

Exhibit 24 & 25, document correspondence between Rose Valley Water Company Answering service and notes to the file that Mr. Stapp acknowledges the problem, but fails to trim the oleander on May 12th, 2010, and is reminded again on May 24th, 2010 to avoid termination of service. Mr. Stapp accuses RVW of beginning to "harass" about the ..."bush planted" in the summer of 2013. This problem has been chronic since 2004.

Rose Valley has been sending notices regarding this obstruction since October, 2004. See Exhibit 1 – Response to informal complaint dated August 13, 2013.

Rose Valley Water Company requires a 3' all around and a minimum 6' clearance above all meter boxes in the service area. It is important to note that RVW **does not use electronic wand technology** and must read each meter visually. This 3' clearance is what RVW considers a reasonable standard per R14-2-405 C, 1.

Mr. Stapp's complaint filed October 13, 2013 was an informal complaint accepted by Trish Meeter. This complaint was not a formal complaint as Mr. Stapp indicates.

Mr. Stapp says that his water was terminated on July 29, 2016 which is incorrect. Please see timeline Exhibit 3.

Mr. Stapp indicates agreement related to new status of obstruction maintenance dated October 2, 2013 – please see EXHIBIT 5 & 7 for actual agreement terms and how those terms were determined.

Mr. Stapp indicates the poisonous oleander plant was “non-compliant” twice after 2013. This is incorrect as in August and September of 2015, May, June, July of 2016 were months where Mr. Stapp received obstruction notices indicating that there was an obstruction. See Exhibit 13 through Exhibit 17 for reference.

Mr. Stapp indicates in the formal complaint filed October 3, 2016 that he requested mediation in the August 13, 2013 informal complaint against RVW. Mediation was not requested until September 9, 2013. See Exhibit 26 – follow-up complaint notes from Trish Meeter.

Mr. Stapp indicates that Mr. Brasher sent an e-mail thanking him for trimming the bush back and assuring him the water would not be turned off – please see Exhibit 10 for actual correspondence. Mr. Brasher also clearly indicates that the “overhang” will cause “drap” problems over the meter box. The e-mail also clearly indicates the Company's position regarding the termination of service should the obstruction not be trimmed according to the agreed terms on October 14, 2013 – See Exhibit 5.

Mr. Stapp indicates in the formal complaint dated October 3, 2016 that “nothing was done to the bush, it remained the same as before.” The termination on August 4, 2016 is noted with a photograph of the obstruction Exhibit 33. Water service was not re-established until the bush was trimmed as noted in Exhibit 34 later that same day.

SUMMARY:

The nature of the oleander plant is especially disturbing as an obstruction when it places RVW employees in the same close proximity with a documented poisonous plant that has been described by the International Oleander Society as “pretty and deadly”. Just touching the plant could cause irritation based on a study by this organization. (See description of obstruction above)

Rose Valley Water Company has maintained a cooperative spirit during this time with Mr. Stapp, while trying to maintain a safe environment for its employees to work.

After continued failures by Mr. Stapp to uphold the agreement of October 14th, 2013, Rose Valley Water Company considers the special agreement null and void and now requires this obstruction to be completely removed so that the problem of this obstruction is fully resolved.

Reading, testing and maintaining meters is a process that requires time and attention to detail, and Rose Valley Water Company employees should not have to negotiate poisonous obstructions while conducting their duties in the service area. The very nature of the meter itself dictates the need to be in close proximity to the meter box to gain accurate reads by visual inspection. Termination of service is a

Reading, testing and maintaining meters is a process that requires time and attention to detail, and Rose Valley Water Company employees should not have to negotiate poisonous obstructions while conducting their duties in the service area. The very nature of the meter itself dictates the need to be in close proximity to the meter box to gain accurate reads by visual inspection. Termination of this customers services, with this obstruction, still presents a hazard to our technician. However, termination of service is the only means that RVW has to enforce the statute to guarantee free and clear access. Mr. Stapp contends that since the water technician is able to gain access to the meter to terminate service they should be able to also read the meter as well. If the ACC considers this argument it would then seem to allow the customer to be the one who dictates how the company should operate the service area and equipment.

Rose Valley Water Company successfully deals with hundreds of obstructions each year with the faithful cooperation of its customers. The argument that Mr. Stapp is being signaled out is not true. Each case of obstruction is assessed for access and potential hazard to employees. It is impossible to compare each obstruction for assessment of equal treatment. The focus and consistency that Rose Valley does take is the application of the rules provided under R14-2-410, R14-2-408, R14-2-407 and R14-2-410.

Under these rules, Rose Valley Water Company requires a reasonable 3' foot clearance all around its meter boxes, regardless of the location on the customer's property. This requirement has only been adjusted to a shorter distance one time, for one customer only, and it was for Mr. Stapp.

By looking at the timeline attached as Exhibit 3, it is clear that RVW has cooperated with both the ACC during the complaint process and with Mr. Stapp as the customer. During this process RVW has followed the ACC guidelines closely to ensure the safety of its employees and is guaranteed proper access to its equipment.

The timeline also shows a consistent abuse of the process by the customer to object and to avoid proper maintenance of the easement as prescribed in the Arizona statutes. The time and attention that has gone into this simple utility easement obstruction case, seems to suggest that as long as the customer complains, they are allowed to avoid being held accountable to those rules.

Mr. Stapp's property (20371 N. 89th Drive) is currently for sale. The obstruction and this case has been docketed for public review. Rose Valley Water Company believes this case has not been disclosed as part of the property listing with multiple listing service. It is the concern of Rose Valley Water Company that this obstruction will be unknowingly passed on to an unsuspecting buyer.

Rose Valley Water Company respectfully requests that the Arizona Corporation Commission enforce rule R14-2-405 in this case and order Mr. Stapp to remove this obstruction, and any and all other obstructions within a 3' clearance to the meter box.

Thank you for your time and attention to review this material.

Sincerely,



Gary P. Brasher

President, Rose Valley Water Company, Inc.

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 1

From: GARY BRASHER

Attention Tom ^{DAVIS}
602-364-1066

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Trish Meeter

Phone: (602) 542-0622

Fax: (602) 542-2129

Priority: Respond Within Five Days

Complaint No. 2013 - 112224

Date: 8/13/2013

Complaint Description: 06Z Disconnect/Terminations - Other
N/A Not Applicable

Complaint By: First: Jeff Last: Stapp

Account Name: Jeff Stapp

Home: (480) 283-3530

Street: 20371 N. 89th Drive

Work:

City: Peoria

CBR:

State: AZ Zip: 85382

is:

Utility Company: Rose Valley Water Company

Division: Water

Contact Name: Gary Brasher

Contact Phone: (623) 889-2275

Nature of Complaint:

PLEASE SUMMARIZE YOUR COMPLAINT OR INQUIRY:

Rose Valley continues to harass me about access to my meter. They claim I must give them a 3' clear radius around the meter. This is not possible as there is a bush located close to the meter. This bush was there when I bought the house and has always been there. Now all the sudden it is a problem for them. There is absolutely NO interference with access to my meter. Nothing has to be moved or pushed out of the way, they have 100% access to the meter. They have recently sent me a letter stating that if I do not comply with their request, they will terminate my water. As I stated earlier, this bush has been there for 13 years and has never interfered with access to my meter before. I have attached pictures of the meter in question. If they claim no access to read the meter, how are they going to shut it off then? They have full access, this is nothing more than harassment from them. I want a ruling on this. Am I required to give them 3' radius? That seems like an unreasonable request considering the circumstances and since there is clearly nothing blocking my meter.

Jeff Stapp

attachments: photos (2)

To the company:

These same concerns were sent to the company in Oct. 2012 thru a previous Commission complaint that went unresponded to by the company.

Why is the company requesting the bush be removed?
What recorded easement is filed for this property?
Is the bush within this recorded easement?

**ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM**

Is customer in jeopardy of disconnection?
Please provide a written response to the Commission after contacting the customer.
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

Date Completed:

Complaint No. 2013 - 112224

Substantiated/Un-Substantiated not yet determined

Notes:

Stapp # 2619 – Note on account – Inquiry from ACC received 8/20/13 at 12:12 pm.

Customer has been sent obstruction notices and had usage estimated for the following 23 individual months for an oleander that is causing an obstruction of free and clear access to his water meter utility box:

Oct 2004, Nov 2004, Oct 2005, Nov 2005, Sep 2006, Oct 2006, Aug 2007, Sep 2007, Nov 2007, Aug 2008, Nov 2009, Dec 2009, Feb 2010, March 2010, Apr 2010, May 2010, Nov 2011, June 2012, Aug 2012, Oct 2012, June 2013, July 2013, Aug 2013

Rose Valley Water Company did not receive any complaint in October of 2012 from the Commission. The only reason that we received this inquiry is because when Ms. Trish Meeter called Rose Valley Water Company's call center for our email address on 8/13/13 at 11:49 am, the call center agent recorded the information in a message to Rose Valley Water Company. Rose Valley Water Company has made numerous requests over the span of many years to have the Commission fax inquiries/complaints as our internet protection does not deliver emails from the Commission due to our high spam and virus protection. Rose Valley Water Company made three separate calls between 8/14/13 and 8/20/13 to inquire about what Ms. Meeter was calling about. Because Ms. Meeter did not leave her direct number and then she was out of the office, it took Rose Valley Water Company almost a week to acquire said inquiry.

The meter and obstruction are within an 8 foot PUE that has been recorded and, as you can see by the accompanying photograph, has other utility pedestals, also obstructed by the customer's oleander bush, further back from the road than the water meter utility box. The oleander bush has been an obstruction and a problem for at least 9 years. Our technician is unable to acquire regularly monthly reads and access our system for maintenance without the oleander being a hazard per company safety standards and OSHA safety requirements.

Per ACC Rule R14-2-405 Service Connections

C. Easements and rights-of-way

1. Each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service.

The customer's responsibility to provide utility with adequate easement and right-of-way satisfactory to the utility has not been met.

As this is the 3rd consecutive month that the customer's water usage has been estimated due to the obstruction, the company is requiring that the obstruction be cleared to avoid interruption of service and re-establishment fees.

We have spoken numerous times with this customer asking that he comply with the requirements to provide free and clear access within the PUE located on this property. The customer refuses to comply and feels that we are harassing him unfairly.

We are attaching a picture of the PUE and the obstruction, as well as correspondence related to the difficulty we had in acquiring this inquiry. Please make sufficient notes on our file to have inquiries faxed to Rose Valley Water Company and not emailed, as we do not have the ability to receive them via that method.

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Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 2

Rose Valley Water Co, Inc.

July 21, 2013

Dear Rose Valley Water Customer:

We were unable to obtain an accurate reading from your meter for the month of June due to the item(s) indicated below. Therefore, we have estimated your water usage based on an average usage for your account.

- | | |
|--|---|
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Excessive Shrubbery |
| <input type="checkbox"/> Construction Debris | <input type="checkbox"/> Excessive Water Accumulation |
| <input type="checkbox"/> Buried Meter | <input type="checkbox"/> Bees |
| <input type="checkbox"/> Car on Meter | <input type="checkbox"/> Other |

This estimate may be higher or lower than your actual usage, and we will adjust accordingly at the next reading/billing cycle. Please make sure that your meter box is accessible for our next month's reading. ***A 3-foot clearance above and 360 degrees around the meter box is required.***

Thank you for your attention to this matter.

Rose Valley Water Company, Inc.
Billing Office

PO Box 1444, Green Valley, Arizona 85622* 623-889-2275 *fax 520-625-9205

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 3

EXHIBIT 3

TIMELINE FOR 2016 FORMAL COMPLAINT – HOW DID WE GET HERE?

October 2004 was the first recorded notice of obstruction sent to customer at 20371 N. 89th Drive, Mr. and Mrs. Stapp. Since that period, 23 separate notices of obstruction were sent through the date of August 2013.

August 13, 2013 Complaint filed by Mr. Stapp – notice of complaint not delivered to RVW until August 20, 2013. - see Exhibit 1 for reply to complaint.

Response to August 13, 2013 complaint was made by RVW on August 20, 2013.

August 29, 2013 Letter of termination sent with termination date scheduled on or after September 9th, 2013 – see Exhibit 4.

September 4, 2013– 2:55PM left message for Tom Davis at ACC to find out status of customer removing obstruction prior to termination schedule for September 9, 2013.

September 4, 2013 - 3:00PM Telephone conversation with Trish Meeter at ACC indicating that the staff at the ACC will stand behind RVW on the termination/removal/fees if customer does not clear obstruction adequately. Trish was to call the customer that afternoon. We explained that we would have our crew arrive on the 9th and if the obstruction still existed our crew was instructed to remove the entire obstruction per our 3 foot clearance requirement.

September 5, 2013 message left for Trish Meeter at the ACC that the crew will be out to remove the obstruction and shut off water service to home located at 20371 N 89th Ave for noncompliance of free and clear access in the PUE.

September 9, 2013 – RVW crew was dispatched to check the obstruction. It was found to be encroaching the 3' clearance that RVW requires. The obstruction was cut but not removed from the ground due to other utility obstructions and the need to order a blue stake. See Exhibits 31 & 32.

September 10, 2013, Trish Meeter took additional complaint issues from Mr. Staff – requested additional information on easement. See Exhibit 26.

September 10, 2013 fax received from Trish Meeter indicating that she talked to Mr. Stapp and that “his bush was cut back by him on Sunday, Sept. 8th.” See Exhibit 26.

September 11, 2013 RVW responded to additional complaint questions listed in Exhibit 26. Please see Exhibit 26a and Exhibit 35.

October 2, 2013 a requested mediation meeting with Jeff Stapp and a Representative of RVW, Gary Brasher, President was held.

October 14, 2013 through October 18, 2013 correspondence between Jeff Stapp, Gary Brasher and Trish Meeter took place to complete an agreed MOU to resolve the obstruction problem. See Exhibits 5,6,7,8 & 9.

August 17, 2015 obstruction notice was sent to Mr. Stapp – see Exhibit 13, 27 & 28.

September 2, 2015 obstruction notice was sent to Mr. Stapp – see Exhibit 14.

May 18, 2016 obstruction notice was sent to Mr. Stapp – See Exhibit 15 & 29

June 20, 2016 obstruction notice was sent to Mr. Stapp – See Exhibit 16.

July 18, 2016 obstruction notice was sent to Mr. Stapp– See Exhibit 17 & 30.

July 20, 2016 notice of termination was sent to Mr. Stapp – See Exhibit 18 & 30.

July 27, 2016, 10:21 AM e-mail from Gary Brasher, President RVW to Mr. Stapp acknowledging efforts to trim oleander, however requested additional work as agreed to complete the clearance “all the way to the top of the bush”. See Exhibit 11.

July 27, 2016, 2:25PM e-mail response from Jeff Stapp regarding his failed efforts to keep bush trimmed. See Exhibit 12.

August 4, 2016 Obstruction was not cleared to agreed 2' clearance as described in MOU Exhibit 5 and Mr. Stapp's water service was terminated. See Exhibit 33.

August 4, 2016 Informal complaint filed by Mr. Stapp. See Exhibit 21.

August 4, 2016 service was re-established after obstruction was further trimmed. See Exhibit 34.

August 9, 2016 RVW Response to ACC informal complaint filed August 4th. See Exhibit 21.

August 16, 2016 Letter of termination for complete removal of obstruction was sent to Mr. Stapp with the termination date effective on or after September 2, 2016. See Exhibit 19.

September 1, 2016 – Telephone conversation between Mike Buck with ACC and Gary Brasher President of RVW asking that RVW not terminate service to Mr. Stapp for obstruction. Mr. Buck with the ACC indicated that this informal complaint was under review.

September 15, 2016 – Informal complaint was closed by ACC per e-mail from Mike Buck at ACC. See Exhibit 20.

September 29, 2016 – courtesy e-mail to Mr. Stapp indicating that RVW still requests that the current obstruction to be completely removed and that the account is still eligible for termination. See Exhibit 22.

October 3, 2016 – formal complaint filed by Mr. Stapp. See Exhibit 23.

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Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 4

Rose Valley Water Co, Inc.

August 29, 2013

Jeff Stapp
20371 N 89th Drive
Peoria, AZ 85382

Re: Account # 2619 - Easement access to water meter box

Dear Jeff,

This letter is being provided to you in compliance with the Arizona Corporation Commission Rule ***R14-2-410, Termination of Service.***

Reason for termination:

R14-2-405, *Service Connections and Establishments, Section C, Easements and rights-of-way.*

Each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service.

You have failed to provide adequate easement and right-of-way to your meter box.

In June and July 2013, we sent requests asking that you clear any and all obstructions from around your meter box. As this is the third month and third notice, we are requesting that you remove any and all obstructions within 3-feet above and around your meter box immediately, in order to avoid termination of your water service.

Proposed date of termination on or after: September 9, 2013

This is to advise you that you may dispute this cause for termination by contacting me at 623-889-2275, during office hours, Monday through Friday, from 9 am – 4 pm. I will be happy to discuss the cause for termination in advance of the scheduled turn-off date.
(R14-2-410)

Sincerely,

COPY

Becky Johnson
Rose Valley Water Company, Inc.

PO Box 1444, Green Valley, Arizona 85622 * 623-889-2275 *fax 520-625-9205

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 5

From: Rose Valley Water [mailto:info@rosevalleywaterco.com]
Sent: Monday, October 14, 2013 2:01 PM
To: Jeff Stapp
Cc: tmeeter@azcc.gov
Subject: Stapp # 2619 Obstruction in PUE
Importance: High

Good Afternoon Mr. Stapp,

I'm writing as a follow-up to our meeting with the Arizona Corporation Commission on October 2nd. In the spirit that I believe we established at that meeting to work cooperatively regarding the issue of the bush located within the three foot perimeter of the meter box for your home. I believe we discussed, and agreed, that the bush will be trimmed in a manner so as to keep a minimum 2 foot clearance from the meter box, so as to provide adequate access for our technician when reading or maintaining your meter.

In an effort to verify what the actual perimeter looked like, as it relates to the existing bush in its current trimmed back condition, I asked our technician to measure the distance between the meter box and the bush. As you can see from the enclosed photos, the bush, in its trimmed back state, is already within an 18 inch perimeter from the meter box. Given this measurement it will be impossible for you to adhere to our agreement of keeping a minimum 2 foot clearance. Knowing how quickly oleanders grow, I can see that it will be a hazard to our technician in no time. Any growth up or out towards the meter box will cause this to become an obstruction again.

Again, we are hoping to work cooperatively with you on this issue, which is the reason for this e-mail, and therefore I am reaching out to you personally before we finalized our agreement to get your thoughts on how to rectify this situation knowing that you won't be able to adhere to the 2 foot agreement we made without removing the bush entirely given its existing 18 inch distance from the meter box.

I look forward to hearing back from you regarding this matter.

Sincerely,

Gary P. Brasher
President
Rose Valley Water Company

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

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Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 6

From: Jeff Stapp [<mailto:jstapp@canyonpipe.com>]

Sent: Monday, October 14, 2013 2:32 PM

To: Rose Valley Water

Cc: tmeeter@azcc.gov

Subject: RE: Stapp # 2619 Obstruction in PUE

Hello Gary, I hope you had a nice weekend. I appreciate the email.

During our meeting, I thought it was pretty clear that the bush was 2' away from the meter box already (your meter reader's stick is about 6" away from the bush, it's not 18" away it is 24"). I even said during the meeting that it was 2' away but I would keep it as trimmed as possible and away from the meter. That was my argument, that my neighbors all had bushes and trees within the same distance, yet you were only requiring me to comply with the 3' rule.

I will have to hold fast to my prior statements. My bush is no more of a threat than the other people's bushes in my neighborhood. Why does you meter reader insist my yard is trimmed different from anyone else's in the neighborhood? I have attached pictures of some of my neighbors meter boxes. As you can see, they are all closer to the meter box than 3' yet none of theirs have been forcibly removed by your company. Why am I being singled out when there are dozens of violations not being held to the same requirements?

I cannot move the stump further away, it has been there for 12 years. *I can and will keep it trimmed so that it doesn't interfere with reading my meter.* I hope you find that satisfactory.

Jeff Stapp

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Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 7

From: Trish Meeter [mailto:TMeeter@azcc.gov]
Sent: Tuesday, October 15, 2013 2:15 PM
To: 'Rose Valley Water' <info@rosevalleywaterco.com>
Subject: RE: Stapp

At this point, Gary, it seems a very reasonable compromise. The ACC rules are in place to protect the customer and the company and to fall back on if needed.

A copy of your correspondence to Mr. Stapp will be incorporated in the complaint.

Thanks,
Trish

From: Rose Valley Water [mailto:info@rosevalleywaterco.com]
Sent: Tuesday, October 15, 2013 12:41 PM
To: Trish Meeter
Subject: Stapp
Importance: High

Good Afternoon Trish:

I wanted to bring you up to date on my current thinking. You have seen my original e-mail to Mr. Stapp and his reply. For you to know, Barbie has methodically looked into each and every case he identified and I can assure you, we have had constant communication with the people involved and Mr. Stapp is not being treated differently in any way. The only real difference is that in the other cases the people have been very cordial from the outset and have complied with our requests to have the bushes trimmed back.

Based on his e-mail in which he says he wants to "hold fast to my prior statements", and in the interests of going the last step in trying to be cooperative in this matter, we will agree to the 24 inch "rule" which we discussed during our meeting of two weeks ago. I only brought this to his attention because I thought it would be difficult for him to adhere to such a 2 foot limit given the existing distance is much less than that already. However, if he says he can keep it two feet away and that includes in a vertical direction, then RVWC will give him the opportunity to prove he can comply with the standard he is agreeing to.

Let me know if you have other advice or concerns and if not, I'll respond to Mr. Stapp accordingly.

Thank you for all your efforts on this matter.

Sincerely,

Gary P. Brasher
President
Rose Valley Water Company

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 8

[REDACTED]
Sent: Friday, October 18, 2013 9:11 AM

To: becky@rosevalleywater.com

Subject: FW: Stapp # 2619 Obstruction in PUE

Importance: High

Good Morning Jeff.

I'm sorry for not getting back to you sooner but as I'm sure is true with you as well, it has been a very busy week!

I got your email of Monday, October 13th. Based on your comments in the aforementioned e-mail, and as we discussed during our meeting with Ms. Meeter at the ACC, I'll move forward with the understanding that you will be able to keep your bush 24 inches away from the meter box so our technician has the access he needs to read and service your meter. I believe we also discussed that this 24 inch clearance will be in both a horizontal and vertical direction so that the bushes don't "hang over" and interfere with our access.

I anticipate our continuing to work together in a cooperative manner and as we agreed, will look forward to talking again with the ACC in 6 months and evaluating how things are working for each of us in this regard.

I hope you have a great weekend.

Sincerely,

Gary Brasher
President
Rose Valley Water Company

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 9

From: Jeff Stapp [mailto:jstapp@canyonpipe.com]
Sent: Friday, October 18, 2013 12:38 PM
To: Rose Valley Water <info@rosevalleywaterco.com>
Cc: tmeeter@azcc.gov
Subject: RE: Stapp # 2619 Obstruction in PUE

Hello Gary, happy Friday!

Thanks for getting back to me. I appreciate you working with me on this, I am certain we can maintain the situation so that it is acceptable to both of us. I will keep the bush trimmed back so that there is no interference with your guy reading the meter. I will keep it as far away as possible.

Right now it is still just a stump, we have a very long time until it reaches its prior size. Even so, I will continue to trim it back and keep it from overhanging the meter or interfering.

Thanks again and have a great weekend.

Jeff Stapp
Branch Manager



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 10

Hoyt Pinaire

From: Gary Brasher [REDACTED]
Sent: Wednesday, July 27, 2016 10:05 AM
To: Becky Johnson; Hoyt Pinaire
Subject: Here is the e-mail I would like to send to Stapp

Good Morning Jeff:

Thank you for your efforts to trim back your oleander. It did make a difference in our technician's ability to get into your meter. I would like you take it to one additional step so we are consistent with our previous agreement. The two foot clearance we have been working together on needs to be "all the way up to the top of the bush". Our concern is that the "overhang" will cause the oleander to "drap" back over the box and cause additional difficulty in getting underneath it. I would appreciate it if you would trim this additional bit of the bush and I think we will be all set and in accordance with our agreement to maintain a 2 foot clearance from top to bottom.

I know the main billing office had sent several letters in regards to this matter which were unfortunately not responded to in a timely manner and as a result, they had you scheduled for "shut off" on August 1st. I have intervned and asked them to hold off on the assumption you will take care of the rest of this clearance matter. In the spirit of our past cooperation and our agreement with the ACC I appreciate your prompt attention to this matter. In the future if we continue to have difficulty with this situation we will have not choice but to shut off the water until our requests are complied with.

Thank you in advance for your cooperation.

Sincerely

Gary Brasher
President
Rose Valley Water Company

Total Control Panel

[Login](#)

To: [REDACTED] [Remove this sender from my allow list](#)
From: [REDACTED]

You received this message because the sender is on your allow list.

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 11

From: J S [mailto:jeffstapp@hotmail.com]
Sent: Wednesday, July 27, 2016 2:25 PM
To: Rose Valley Water Company <info@rosevalleywaterco.com>
Subject: Re: Disconnect account 2619

Hello Gary, thanks for getting back to me.

I apologize I let that bush get out of control. I will trim back the top and try to square everything up.

Thanks

Jeff

Sent from my iPhone

On Jul 27, 2016, at 10:21 AM, Rose Valley Water Company <info@rosevalleywaterco.com> wrote:

Good Morning Jeff:

Thank you for your efforts to trim back your oleander. It did make a difference in our technician's ability to get into your meter. I would like you take it to one additional step so we are consistent with our previous agreement. The two foot clearance we have been working together on needs to be "all the way up to the top of the bush". Our concern is that the "overhang" will cause the oleander to "drape" back over the box and cause additional difficulty in getting underneath it. I would appreciate it if you would trim this additional bit of the bush and I think we will be all set and in accordance with our agreement to maintain a 2 foot clearance from top to bottom.

I know the main billing office had sent several letters in regards to this matter which were unfortunately not responded to in a timely manner and as a result, they had you scheduled for "shut off" on August 1st. I have intervned and asked them to hold off on the assumption you will take care of the rest of this clearance matter. In the spirit of our past cooperation and our agreement with the ACC I appreciate your prompt attention to this matter. In the future if we continue to have difficulty with this situation we will have not choice but to shut off the water until our requests are complied with.

Thank you in advance for your cooperation.

Sincerely

Gary Brasher
President
Rose Valley Water Company

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 12

From: J S [mailto:jeffstapp@hotmail.com]
Sent: Monday, July 25, 2016 2:33 PM
To: Rose Valley Water Company <info@rosevalleywaterco.com>
Subject: Disconnect account 2619

Hello Becky. I want to make sure you got my message this morning?

I have trimmed my bush and you meter reader should have un-abated access to the meter.

I apologize I let it grow too close. I will do a better job of trimming it back in the future.

Jeff

Sent from my iPhone

Total Control Panel

[Login](#)

To: info@rosevalleywaterco.com

[Remove this sender from my allow list](#)

From: jeffstapp@hotmail.com

You received this message because the sender is on your allow list.

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 13

Rose Valley Water Co, Inc.

August 17, 2015

JEFF STAPP
20371 N 89TH DR
PEORIA, AZ 85382

Account #2619

Dear Rose Valley Water Customer: FIRST Notice

We were unable to obtain an accurate meter reading this month due to the following item(s):

SHRUBS

Therefore, we have estimated your water usage based on an average usage for your account. This estimate may be higher or lower than your actual usage, and we will adjust it accordingly at the next reading/billing cycle.

Please make sure that your meter box is accessible for our next month's reading. *A 3-foot clearance around the meter box is required.*

Thank you for your attention to this matter.

Rose Valley Water Company, Inc.
Billing Office

PO Box 1444, Green Valley, Arizona 85622* 623-889-2275 *fax 520-625-9205

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 14

Rose Valley Water Co, Inc.

September 21, 2015

JEFF STAPP
20371 N 89TH DR
PEORIA, AZ 85382

Account #2619

Dear Rose Valley Water Customer: SECOND Notice

We were unable to obtain an accurate meter reading this month due to the following item(s):

SHRUBS

Therefore, we have estimated your water usage based on an average usage for your account. This estimate may be higher or lower than your actual usage, and we will adjust it accordingly at the next reading/billing cycle.

Please make sure that your meter box is accessible for our next month's reading. *A 3-foot clearance around the meter box is required.*

Thank you for your attention to this matter.

Rose Valley Water Company, Inc.
Billing Office

PO Box 1444, Green Valley, Arizona 85622* 623-889-2275 *fax 520-625-9205

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 15

Rose Valley Water Co, Inc.

May 18, 2016

JEFF STAPP
20371 N 89TH DR
PEORIA, AZ 85382

Account #2619

Dear Rose Valley Water Customer: FIRST Notice

We were unable to obtain an accurate meter reading this month due to the following item(s):

SHRUBS

Therefore, we have estimated your water usage based on an average usage for your account. This estimate may be higher or lower than your actual usage, and we will adjust it accordingly at the next reading/billing cycle.

Please make sure that your meter box is accessible for our next month's reading. *A 3-foot clearance around the meter box is required.*

Thank you for your attention to this matter.

Rose Valley Water Company, Inc.
Billing Office

PO Box 1444, Green Valley, Arizona 85622* 623-889-2275 *fax 520-625-9205

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 16

Rose Valley Water Co, Inc.

June 20, 2016

JEFF STAPP
20371 N 89TH DR
PEORIA, AZ 85382

Account #2619

Dear Rose Valley Water Customer: SECOND Notice

We were unable to obtain an accurate meter reading this month due to the following item(s):

SHRUBS

Therefore, we have estimated your water usage based on an average usage for your account. This estimate may be higher or lower than your actual usage, and we will adjust it accordingly at the next reading/billing cycle.

Please make sure that your meter box is accessible for our next month's reading. *A 3-foot clearance around the meter box is required.*

Thank you for your attention to this matter.

Rose Valley Water Company, Inc.
Billing Office

PO Box 1444, Green Valley, AZ 85622* 623-889-2275 *info@rosevalleywaterco.com

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 17

Rose Valley Water Co, Inc.

July 18, 2016

JEFF STAPP
20371 N 89TH DR
PEORIA, AZ 85382

Account #2619

Dear Rose Valley Water Customer: THIRD Notice

We were unable to obtain an accurate meter reading this month due to the following item(s):

SHRUBS

Therefore, we have estimated your water usage based on an average usage for your account. This estimate may be higher or lower than your actual usage, and we will adjust it accordingly once the obstruction is cleared and an accurate reading can be obtained.

In accordance with Arizona Corporation Commission R14-2-405-C1, each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service. Rose Valley Water requires a clearance of 3-feet around the meter box and 6-feet in height over the meter box. This clearance is required for the safety of our technician and is the responsibility of the account holder.

Rose Valley Water is requiring the obstruction to be removed by **August 1, 2016.**

If you have further questions in regards to the Arizona Corporation Commission revised statutes, please contact them directly at 1-800-222-7000.

Thank you for your attention to this matter.

Rose Valley Water Company, Inc.
Billing Office

PO Box 1444, Green Valley, AZ 85622* 623-889-2275 *info@rosevalleywaterco.com

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 18

Rose Valley Water Co, Inc.

July 20, 2016

JEFF STAPP
20371 N 89TH DR
PEORIA, AZ 85382

Re: Account # 2619- Easement access to water meter box

Dear JEFF STAPP,

This letter is being provided to you in compliance with the Arizona Corporation Commission Rule ***R14-2-410, Termination of Service.***

Reason for termination:

R14-2-405, Service Connections and Establishments, Section C, Easements and rights-of-way.

Each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service.

You have failed to provide adequate easement and right-of-way to your meter box.

In May 2016 and June 2016 we sent requests asking that you clear any and all obstructions from around your meter box. As this is the third month and third notice, we are requesting that you remove any and all obstructions **within 3-feet around** your meter box immediately in order to avoid termination of your water service.

Proposed date of termination on or after: July 30, 2016

This is to advise you that you may dispute this cause for termination by contacting me at 623-889-2275, during office hours, Monday through Thursday, from 9 am – 4 pm. I will be happy to discuss the cause for termination in advance of the scheduled turn-off date. (**R14-2-410**)

Sincerely,

COPY

Becky Johnson
Rose Valley Water Company, Inc.

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 19

Rose Valley Water Co, Inc.

August 16, 2016

Jeff Stapp
20371 N 89th Dr
Peoria, AZ 85382

Re: Obstruction at meter box for account # 2619

Dear Mr. Stapp,

On October 2, 2013, you and I met at the ACC to discuss the oleander bush that is planted within the Public Utility Easement (PUE) on your property at the above listed address. During that meeting, we agreed that you would not be required to remove the oleander, at that time, as long as you kept the bush trimmed, a minimum of 24" away from your meter box, at all times.

Since that meeting, Rose Valley Water Company has sent you 5 obstruction notices. The notices were sent to you in August 2015, September 2015, May 2016, June 2016 and July 2016. Rose Valley Water Company requires that you provide free and clear access to the water meter, as per our October 2013 agreement. On August 4, 2016 your water service was terminated for this obstruction. As, it is clear that this obstruction will only continue to be a problem and that you are not keeping with your responsibility and our agreement to keep it clear, Rose Valley Water Company is requiring that the oleander bush that is planted within the PUE be removed on or before September 1, 2016. If the oleander bush planted within the PUE is not removed, service will be terminated on/after September 2, 2016.

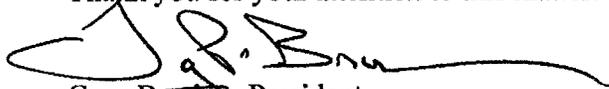
Reason for termination:

R14-2-405, Service Connections and Establishments, Section C, Easements and rights-of-way.

Each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service.

Once termination has occurred, a \$25 re-establishment fee and any past due amounts on the account will be required to be paid, in full, as well as the **complete removal of the oleander planted within the PUE.**

Thank you for your attention to this matter.



Gary Brasher, President
Rose Valley Water Company, Inc.
Billing Office

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 20

Hoyt Pinaire

From: Rose Valley Water Company
Sent: Monday, September 19, 2016 12:12 PM
To: Gary Brasher; Hoyt Pinaire; Barbie Pinaire
Subject: FW: Stapp #2619 Complaint #133682

This is from Mike Buck at the ACC:

From: Michael Buck [mailto:MBuck@azcc.gov]
Sent: Monday, September 19, 2016 12:06 PM
To: Rose Valley Water Company <info@rosevalleywaterco.com>
Cc: Michael Buck <MBuck@azcc.gov>
Subject: RE: Stapp #2619 Complaint #133682

Hello Becky,

I just wanted to inform the Company that the Informal Complaint for Mr. Stapp was closed Thursday, September 15, 2016. Mr. Stapp had a Formal Complaint application mailed to him (per his request) on Friday, September 16, 2016. The same day the application was mailed I received a call from the customer stating that he is now questioning his time availability for the Formal Complaint process and stated that he had hired a landscaping company to keep the oleander bush in check. He wanted to know if I thought the Company would work with him on this matter. I informed him that the Informal Complaint had been closed and that he would have to contact the Company directly and find out from them if this would be acceptable.

If you have any questions, please let me know.

Thank you,
Mike

From: Rose Valley Water Company [mailto:info@rosevalleywaterco.com]
Sent: Monday, September 19, 2016 11:04 AM
To: Michael Buck <MBuck@azcc.gov>
Subject: Stapp #2619 Complaint #133682

Mr. Buck,

I have been asked by the board of Rose Valley Water Company, to get all questions and answers in writing. Please let me know how we can help you with the above mentioned complaint.

Becky
Rose Valley Water Company, Inc
Billing Department

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 21

Arizona Corporation Commission Utilities Complaint Form

Investigator: Michael Buck **Phone:** 602-364-1065 **Complaint Date:** 8/4/2016

Complaint Number: 2016 - 133682 **Priority:** EXPEDITED

Complaint Codes: Disconnect/ Terminations - Other **Closed Date:**

First Name: Jeff **Last Name:** Stapp **Account Name:** Jeff Stapp

Address: 20371 N. 89th Drive

City: Peoria **State:** AZ **Zip Code:** 85382

Cell: (480) 283-3530

Company: Rose Valley Water Company **Division:** Water
Gary Brasher (623) 889-2275 fax only 520-625-9205

Nature Of Complaint

ACC# 112 224

Per the customer, Friday, July 27th he received a request by the Rose Valley Water to cut back his oleander bush by the water meter or his water service would be disconnected. Mr. Stapp stated that he complied to the request and sent the Company a picture. He also stated that Gary the Manager had sent him an email acknowledging the effort and had requested some additional trimming in which the customer did as asked. Mr. Stapp thought everything was resolved until this morning he woke up to no water. He contacted the Company and it was stated that he had not complied with the request of the Company and that if he wanted water service restored he would have to pay a reconnect fee.

Please advise, was the customer service terminated today?

In the Company's request for " The two foot clearance we have been working together on needs to be "all the way up to the top of the bush." Was this request met?

Since 2014 how many Company notices have been issued advising Mr. Stapp to trim the Oleander bush?

What is the Company requiring of the customer to re-establish service?

Please contact the customer.

Company's email to Mr. Stapp

**Arizona Corporation Commission
Utilities Complaint Form**

To: Rose Valley Water Company <info@rosevalleywaterco.com>

Subject: Disconnect account 2619

Hello Becky. I want to make sure you got my message this morning?

I have trimmed my bush and you meter reader should have un-abated access to the meter.

I apologize I let it grow too close. I will do a better job of trimming it back in the future.

Jeff

Sent from my iPhone

Complaint 133682 - Page 3 of 3

Rose Valley Water Co, Inc.

August 9, 2016

Mr. Michael Buck

Regarding Account – Jeffery Stapp – Account #2619

Please find below, the answers for your questions from the above listed complaint dated 08/04/2016.

1. Yes, Mr. Stapp's water service was terminated at 6:10am on August 4, 2016 for failure to provide access to the water meter.
2. Mr. Stapp did not provide a two foot clearance from the ground to the top of the bush per our 2013 agreement.
3. Since 2014 Mr. Stapp has been sent a letter advising that the Oleander is obstructing our ability to access his water meter in August 2015, September 2015, May 2016, June 2016 and July 2016.
4. Rose Valley Water Company required that Mr. Stapp provide free and clear access to the water meter. Mr. Stapp trimmed the oleander per our request and his water service was restored at 12:21pm on August 4, 2016.

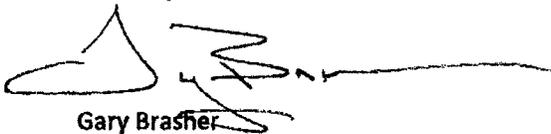
For your convenience, I am attaching all the notices that were mailed to Mr. Stapp in 2015 and in 2016. I have also attached a copy of the e-mail correspondence between Mr. Stapp and myself on July 27, 2016. In that e-mail Mr. Stapp indicates that he would trim back the top and apologized for letting the oleander get out of control. Mr. Stapp was given until August 1, 2016 per his termination letter dated July 20, 2016 to clear the oleander from the meter box area. Rose Valley Water Company afforded Mr. Stapp 3 additional days to comply with the 2013 agreement. On Thursday August 4, 2016 Mr. Stapp's oleander was still not trimmed sufficiently and Mr. Stapp's water service was terminated.

In 2013, Mr. Stapp requested a hearing with the Arizona Corporation Commission when he was asked to remove this oleander. As a compromise, Rose Valley Water Company agreed to allow Mr. Stapp to keep this bush as long as he kept it 24 inches from the meter box at all times. Mr. Stapp has violated the terms of that agreement. At this time Rose Valley Water Company is considering the 2013 agreement with Mr. Stapp null and void and is again requesting that Mr. Stapp remove his oleander.

Rose Valley Water Company in compliance with ACC R14-2-405c which states, *"Each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service"*, will be making the request for removal of the oleander to Mr. Stapp in writing and affording him 30 days to comply with this request.

If I can be of any further assistance to you, please let me know.

Sincerely,



Gary Brasher
President

PO BOX 1444, Green Valley, Arizona 85622 * 623-889-2275*info@rosevalleywaterco.com

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 22

Hoyt Pinaire

From: Rose Valley Water Company
Sent: Wednesday, October 19, 2016 7:01 PM
To: Hoyt Pinaire
Subject: Stapp # 2619 Obstruction 20371 N 89th Drive, Peoria, AZ 85382

Importance: High

From: Rose Valley Water Company
Sent: Thursday, September 29, 2016 4:41 PM
To: J S <jeffstapp@hotmail.com>
Cc: Michael Buck <MBuck@azcc.gov>
Subject: Stapp # 2619 Obstruction 20371 N 89th Drive, Peoria, AZ 85382
Importance: High

Mr. Stapp,

Please find, attached, the current notice of termination that was mailed on August 16, 2016 and a copy of the recorded plat map for your subdivision, showing the 8' PUE located at your property.

This is a courtesy notice to inform you that your service is still eligible for termination unless the obstruction is completely removed within the 3' required clearance that Rose Valley Water Company requires for our free and clear access to the meter box and our system. Termination of your water service is imminent and can occur at any time.

Your cooperation to remove this obstruction to avoid interruption of your water service would be greatly appreciated at this time.

Thank you,
Rose Valley Water Company, Inc.

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 23

**ARIZONA CORPORATION COMMISSION
FORMAL COMPLAINT FORM
FORMAL COMPLAINT**

W-01539A-16-0353

0000173758

COMPLAINANT Jeff Stapp	COMPLAINT NUMBER 133682	PHONE 623-572-716
ADDRESS 20371 N. 89th Drive Peoria, AZ 85382		PHONE (WORK)
NAME OF RESPONSIBLE PARTY Jeff Stapp		
NAME OF UTILITY Rose Valley Water	ACCOUNT NUMBER 2619	

ORIGINAL

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.)

In the summer of 2013, Rose Valley water began to harass me about a bush planted in my front yard near their meter box. They claimed they could not access the meter, even though the meter was clear of obstruction and they had unabated access to it (Please see picture #1). This bush had been there for 12 years, since the house was built. Now all the sudden it had become a problem for Rose Valley. In August of 2013 Rose Valley sent me a letter stating if I did not remove the bush they would terminate my service. On August 13, 2013 I filed a complaint against them and asked the Corporate Commission to set a meeting between us for resolution. After filing the complaint and asking for a mediation, Rose Valley took it upon themselves to completely remove the bush themselves. It was clear retaliation for filing the formal complaint. They had no right to do that after I asked for mediation. On October 2, 2013 a meeting was set at the ACC with Trish Meeter. The result of the meeting was that I agreed to keep the bush trimmed and they would stop harassing me and leave the bush alone. In August of 2015 Rose Valley sent me a letter saying the bush in the way and I needed to trim it. I complied. In May of 2016 I received another letter stating the bush need to be trimmed. I complied. So over 3 years time, the bush was "non-compliant" twice (according to Rose Valley). In both circumstances, I trimmed the bush (see pic 2). On July 27, 2016 Gary Brasher (President) sent me an email thanking me for trimming the bush back and assuring me they would not turn my water off. Two days later, they shut my water off! I was unable to shower or get ready for work and missed a VERY important meeting with a client. I almost got fired. They refused to turn my water on unless I payed a \$35 dollar reconnect fee. I paid the fee and Rose Valley turned my water back on at the end of the day. Nothing was done to the bush, it remained the same as before. So this was not about the bush, this was about extorting money from me. If they didn't have access to the meter, how did they shut it off? See attachment for additional information

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

This is nothing more than pure harassment from Rose Valley in retaliation for filing a formal complaint. I ask the ACC to afford me equal protection under the law. I want equal and fair treatment that is given to my neighbors. Either Rose Valley holds everyone to the same standard, or they need to stop singling me out for retribution. I want an injunction against Rose Valley from terminating my service and I want to keep my 15 year old bush. Why am I being held to a standard that nobody else is? Why am I being singled out and harassed when nobody else is? The statute sates that I must give them "unabated access" to the meter and I have. The pictures provided clearly show no obstructions, no need to move anything in order to read the meter. If they couldn't access the meter, how did they shut my water off??? In fact, the meter has a wifi transmitter that sends an electronic signal to the readers hand held. There is no need to physically lift the meter lid anymore. Therefore the bush should not be a problem.



SIGNATURE OF COMPLAINANT OR ATTORNEY

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL
2016 OCT - 3 P 2:33

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 24

Hoyt Pinaire

From: Rose Valley Water Company
Sent: Wednesday, October 19, 2016 2:26 PM
To: Hoyt Pinaire
Subject: FW: stapp

-----Original Message-----

From: Becky Johnson [REDACTED]
Sent: Wednesday, May 12, 2010 9:59 AM
To: [REDACTED]
Subject: stapp

9:58 am - will trim tonight or tomorrow pm. Doesn't want to loose the bush as it blocks the electric box.

-----Original Message-----

From: jim@kachinatel.com [mailto:jim@kachinatel.com]
Sent: Wednesday, May 12, 2010 9:29 AM
To: [REDACTED]
Subject: Message For (574) 2010-05-12 09:28AM

(1) IN: 2010-05-12 09:27AM JAN
ANI:4802833530 BECKY
1st/Lst Nm:JEFF STAPP
Rchb Tel#:480 283 3530
Alt #: :NA
Adr:
Acct #:
Non Pay Disc?:
Pay By Ph Cnfrmtn #:
Ermg/MC 3?:
Outage?:
Blue Stake-Must get #:
Msg: :RE A DISCONNECT NOTICE -- RE
SUPPOSEDLY HIS BUSH IS TOO BIG PLEASE CALL
***** ACTIVITIES *****
1) 05-12 09:28AM JAN Email

***** END OF MESSAGES *****

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 25

Hoyt Pinaire

From: Rose Valley Water Company
Sent: Wednesday, October 19, 2016 2:26 PM
To: Hoyt Pinaire
Subject: FW: STAPP

-----Original Message-----

From: Becky Johnson [REDACTED]
Sent: Monday, May 24, 2010 2:52 PM
To: [REDACTED]
Subject: STAPP

2:49 - WILL TRIM STRAIGHT UP THIS TIME, HE IS CONCERNED THAT HIS HOA WILL FINE HIM FOR HAVING A DEAD BUSH IN HIS FRONT YARD. HE IS NICE AND TRYING TO KEEP THE BUSH AND KEEP IT OUT OF THE TECH'S WAY.

-----Original Message-----

From: jim@kachinatel.com [mailto:jim@kachinatel.com]
Sent: Monday, May 24, 2010 2:37 PM
To: [REDACTED]
Subject: Message For (574) 2010-05-24 02:36PM

(1) IN: 2010-05-24 02:35PM JAN
ANI:4802833530 BECKY
1st/Lst Nm:JEFF STAPP
Rchb Tel#:480 283 3530
Alt #: :NA
Adr:20371 N 89TH DR
Acct #: :2619
Non Pay Disc?:
Pay By Ph Cnfrmtn #:
Ermg/MC 3?:
Outage?:
Blue Stake-Must get #:
Msg: :RE DISPUTE - DISCONNECT NOTICE
LTTR PLEASE CALL
***** ACTIVITIES *****
1) 05-24 02:37PM JAN Email

***** END OF MESSAGES *****

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 26

ARIZONA CORPORATION COMMISSION
 1200 West Washington
 Phoenix, Arizona 85007
 Telephone: (602) 542-4251
 Fax Number: (602) 542-2129

FAX COVER SHEET

DATE: 9.10.13

Fax Number: 520.625-9205

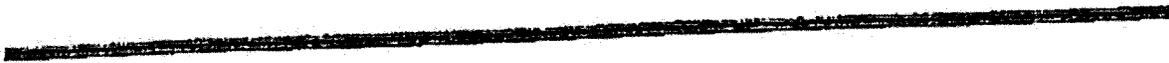
Contact Number: _____

Attention: Gary Brasher

Company Name: Rose Valley Water

Sender: Trish Meeter

UTILITIES DIVISION
 542-4251 OR 1-800-222-7000 EXT. _____



Total Number of pages including cover sheet _____

Gary, Barbie,

I received a call and emails from Mr. Stapp today regarding the company's removal of his oleander bush. I have attached both the first and second emails received from him. Per Mr. Staff, his bush was cut back by him on Sunday, Sept 8.

Did company remove the bush?

What was the status of the obstruction to the meter on Monday, Sept. 9?

Please address the new concerns of the customer as expressed in his latest email.

Please provide the Commission and the customer with a copy of the recorded easement that supports the removal of the bush.

Trish Meeter

Subject: FW: Rose Valley
Attachments: photo 1.JPG; ATT00001..bin; ATT00002..bin; photo 2.JPG; ATT00003..bin; ATT00002..bin; ATT00004..bin; photo 3.JPG; ATT00005..bin; ATT00003..bin; ATT00006..bin; photo 4.JPG; ATT00007..bin; ATT00004..bin

-----Original Message-----

From: J S [mailto:jeffstapp@hotmail.com]
Sent: Tuesday, September 10, 2013 10:24 AM
To: Trish Meeter
Subject: Rose Valley

Trish, thank you for speaking with me today.

Here are some pics of the clippings from trimming the bush on Sunday. My girlfriend and I spent over an hour trimming the bush back.

There are also pics of what the area looks like now that they removed bush. Another pic showing the stump of the removed tree was 5' from the sidewalk. Clearly out of the easement right and on my personal property.

That bush has been there for over 10 years. The only reason they cut it down was to retaliate for me filing a complaint with the Corporate Commission. It's a personal vendetta by this company against me, the consumer. I request the Corporate Commission take action and protect my rights as a consumer.

Thank you

Jeff Stapp
480-283-3530

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 26a

From: [REDACTED] On Behalf Of Rose Valley Water
Sent: Wednesday, September 11, 2013 10:54 AM
To: Rose Valley Water Company <info@rosevalleywaterco.com>
Cc: Hoyt Pinaire [REDACTED]
Subject: Stapp # 2619 ACC Inquiry 2013-112224
Importance: High

Trish,

Please find, attached, a legally recorded plat map for the sub-division that Mr. Stapp's home is located in. Please look at page 5 specifically. He is lot # 47 and if you will note the continuous 8' recorded P.U.E throughout the sub-division. You can see the measurement noted in the following lots:

Lot 14
Lot 19
Lot 21
Lot 41
Lot 52
Lot 56

This legally recorded map was provided by Angela Nolasco of Title Security. If Mr. Stapp is disputing this easement, he will need to have a title search performed at a cost of over \$300 and prove otherwise.

Rose Valley Water Company vehemently denies that there is any type of vendetta in the requirement of having Mr. Stapp provides free and clear access at all times to our service line and connection. Rose Valley Water Company requires this of all of our customers and treats all of our customers equally. This provision is specifically in Arizona Corporation Commission's Rule

R14-2-405 Service Connections

C. Easements and rights-of-way

- 1. Each customer shall grant adequate easement and right-of-way satisfactory to the utility to ensure that customer's proper service connection. Failure on the part of the customer to grant adequate easement and right-of-way shall be grounds for the utility to refuse service.**
- 2. When a utility discovers that a customer or his agent is performing work or has constructed facilities adjacent to or within an easement or right-of-way and such work, construction or facility poses a hazard or is in violation of federal, state or local laws, ordinances, statutes, rules or regulations, or significantly interferes with the utility's access to equipment, the utility shall notify the customer or his agent and shall take whatever actions are necessary to eliminate the hazard, obstruction or violation at the customer's expense.**

Because Mr. Stapp had cleared **some** of the obstruction from around his water meter box before September 9, 2013, Rose Valley Water Company did not terminate his service, as a courtesy. When Rose Valley Water Company's crew arrived on-site to remove said obstruction, they followed Rose Valley Water Company's procedures and protocol to remove any obstruction within 3 feet of our water utility box. In all of the 23 letters of correspondence to this customer over the past 9 years have requested the required 3-foot clearance, including the termination notice that was mailed in August of 2013. **Unfortunately, our crew was unable to totally remove the bush, as it IS in the PUE and they were at risk of hitting cable, phone, electric and other utility lines, if they dug up the bush for permanent removal. Therefore, it has just been cut close to the ground at this point.**

Rose Valley Water Company is requiring that this bush be permanently removed to avoid further obstructions in the future. This requirement is well within our rights as we have tried to work with the customer for almost a decade and have not been provided the easement that we have the right to.

Rose Valley Water Company deals with hundreds of customers regarding obstructions monthly. The crew that was hired to remove obstructions on the date of September 9, 2013 was provided with a list of customers who failed to provide us with free and clear access after all of the notice requirements were fulfilled by Rose Valley Water Company. Most of the customers had REMOVED their obstructions, a few had cut them back giving the required 3-foot clearance and a few still had obstructions within the 3-foot measurement. The obstructions were removed per policy and protocol within our rights of the PUE at each property.

If Mr. Stapp fails to permanently remove this obstruction within this PUE, we will be required to contact APS, Cox, Century Link and any other utilities located within this easement for Blue Stake and removal at his expense and Rose Valley Water Company will terminate his service for non-compliance.

Rose Valley Water Company is respectfully requesting that the Arizona Corporation Commission provide us with a written response to this inquiry regarding our rights within the PUE located on this customer's property.

You have requested that we also provide the customer with a copy of the recorded PUE. Can you provide us with an email for this customer as he has not provided one to us?

Thank you for your assistance.

Gary P. Brasher

From: Jacque Brasher
Sent: Wednesday, September 11, 2013 9:27 AM
To: info@rosevalleywaterco.com
Subject: Fwd: Plat Map for Jeff Stapp # 2619

----- Forwarded message -----
From: **Angela Nolasco** <angela.nolasco@titlesecurity.com>
Date: Wed, Sep 11, 2013 at 9:15 AM
Subject: Plat Map
To: Jacque Brasher, Rose Valley Water Co, Inc.

Attached is the plat map for:
Parcel 200-17-388
20371 N 89th Drive, Peoria, AZ 85382
Lot # 47, Dove Valley Ranch Parcel 6

Jacque Brasher, Secretary
Rose Valley Water Co, Inc.

Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 27

DATED 8/18/2015



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 28

DATED 9/10/2015



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 29

DATED 5/17/2016



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 30

DATED 8/13/2016



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 31
DATED 9/9/2013



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 32
DATED 9/9/2013
After Removal



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 33
DATED 8/3/2016
PRIOR TO
TERMINATION ON
8/4/2016



Docket Number: W-01539A-16-0353

Rose Valley Water Company

Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 34

DATED 8/3/2016

**AFTER TERMINATION ON
8/4/2016 AND PRIOR TO RE-
ESTABLISHED SERVICE**



Docket Number: W-01539A-16-0353

Rose Valley Water Company

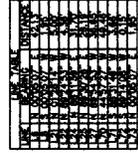
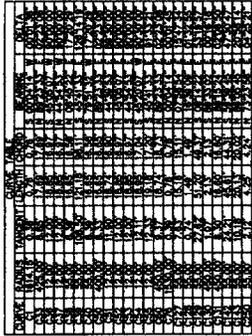
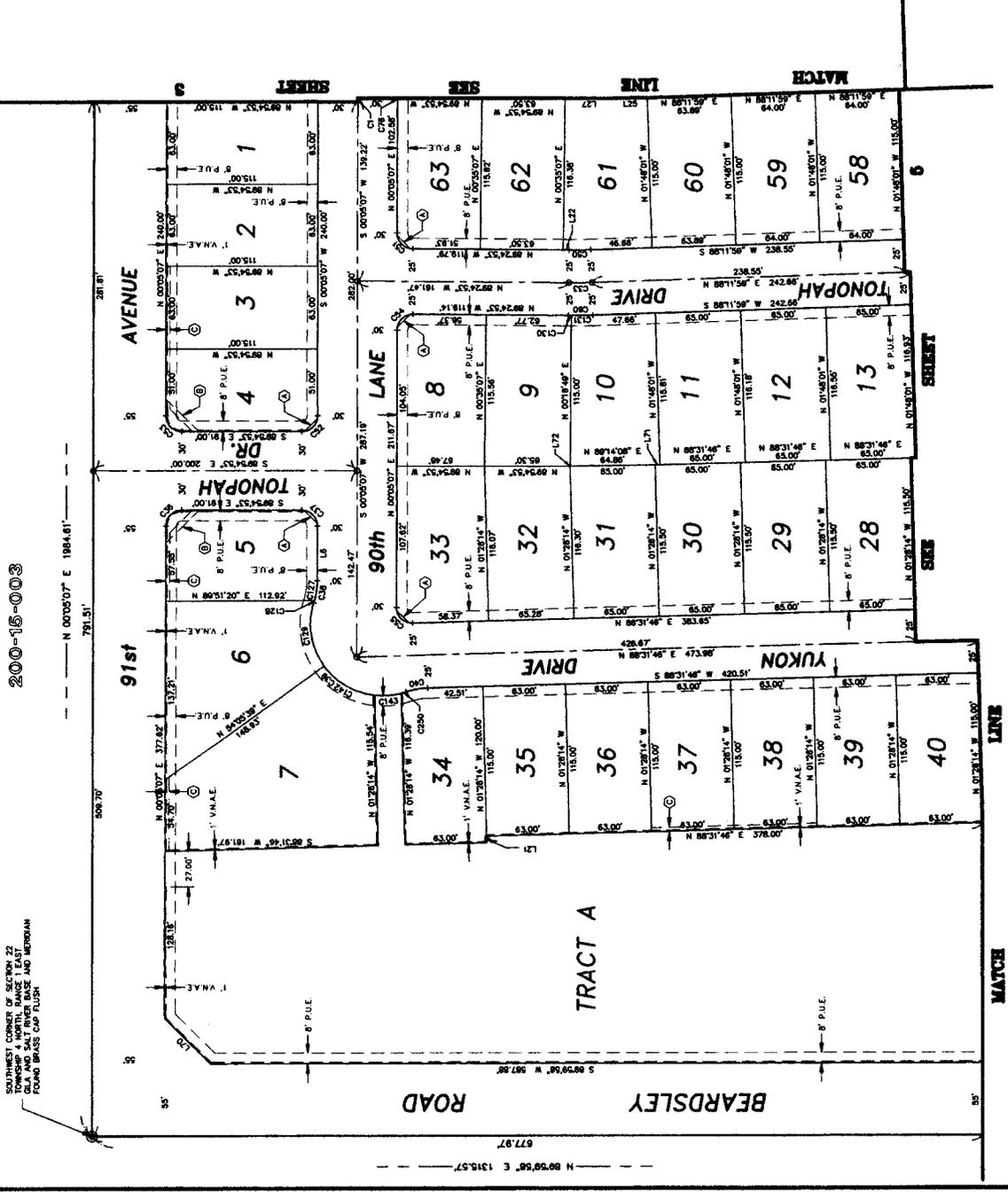
Response to Formal Complaint filed October 3rd, 2016

EXHIBIT 35

SOUTHWEST CORNER OF SECTION 22
TOWNSHIP 34 N. RANGE 11 E. T10N
FOUND BRASS CAP PLUSH

200-15-003

N 00°05'07" E 1984.81'
791.51'

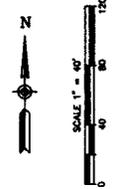


BOOK 508 PAGE 47
MARICOPA COUNTY RECORDER
HELEN PARCELL
99-0739288
08/05/99 09:35

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER TO THE SUBDIVISION SET 1/4" DIA. WITH CAP 1.5 INCH UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 120-1 TYPE B
- PUBLIC UTILITY EASEMENT
- BUILDING SETBACK LINE
- VEHICULAR NON-ACCESS EASEMENT
- 10' x 10' VISIBILITY TRIANGLE
- 25' x 25' VISIBILITY TRIANGLE
- 3' WALL AND LANDSCAPE EASEMENT

508-477



DOVE VALLEY RANCH PARCEL 6
AFC #98436 DATE: 7/26/99
SHEET 2 OF 7



AMERICAN ENGINEERING CO.
Robert Bein, William Probst & Associates
Professional Engineers, Planners & Surveyors
2142 NORTH 20TH AVENUE, PHOENIX, ARIZONA 85027 • (602)-562-0280



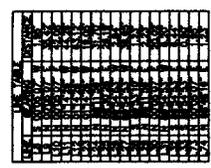
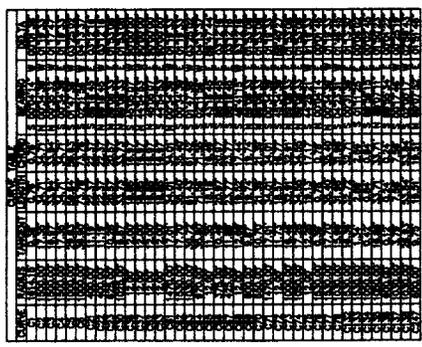
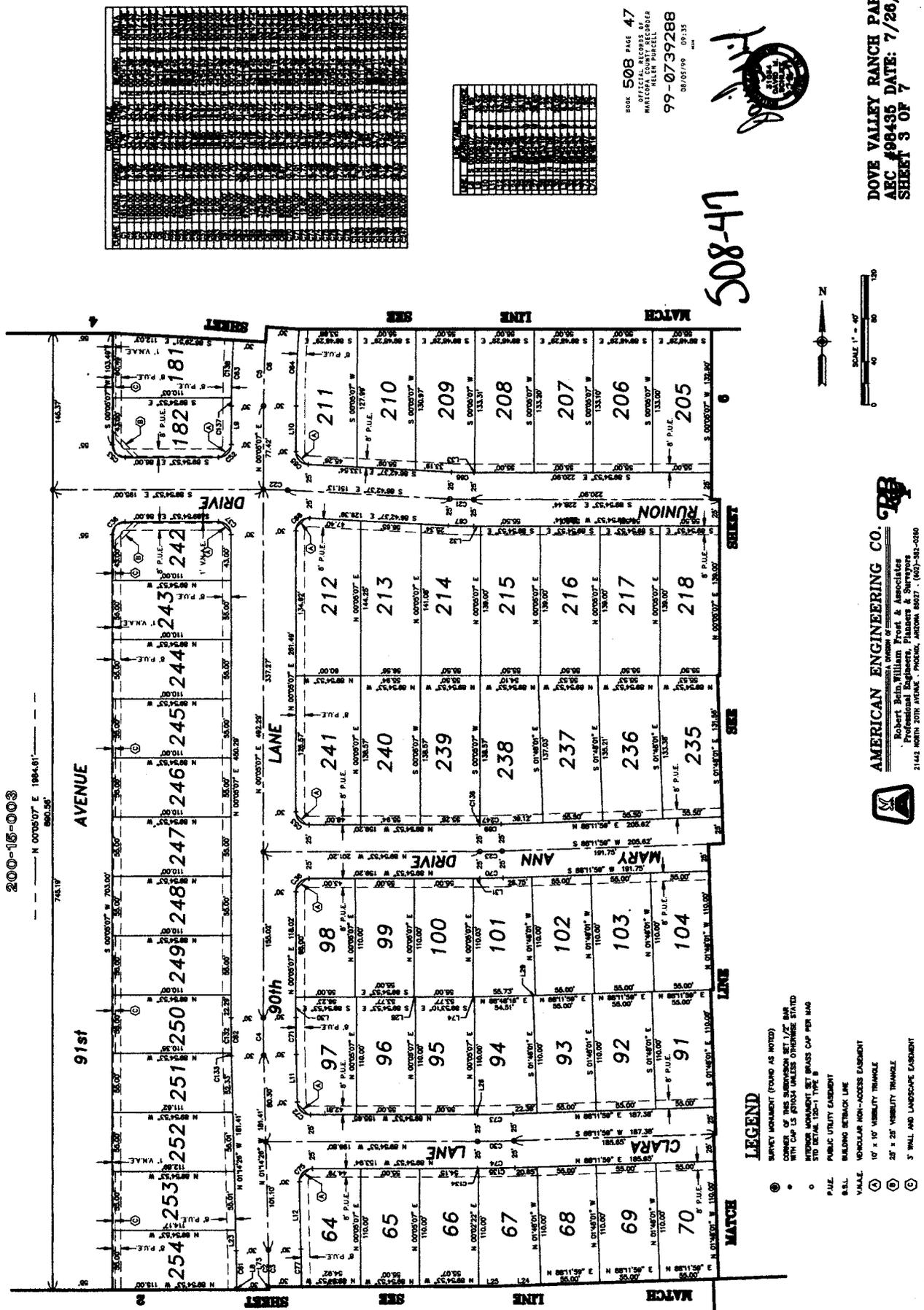
200-15-003

N 00°05'07" E 184.61' 890.55'

AVENUE

91st

30th



BOOK 508 PAGE 47
 OFFICIAL RECORD OF
 MARSHALL COUNTY MISSOURI
 KELLEN BURCELL
 99-0739288
 08/07/99 07:35

508-47



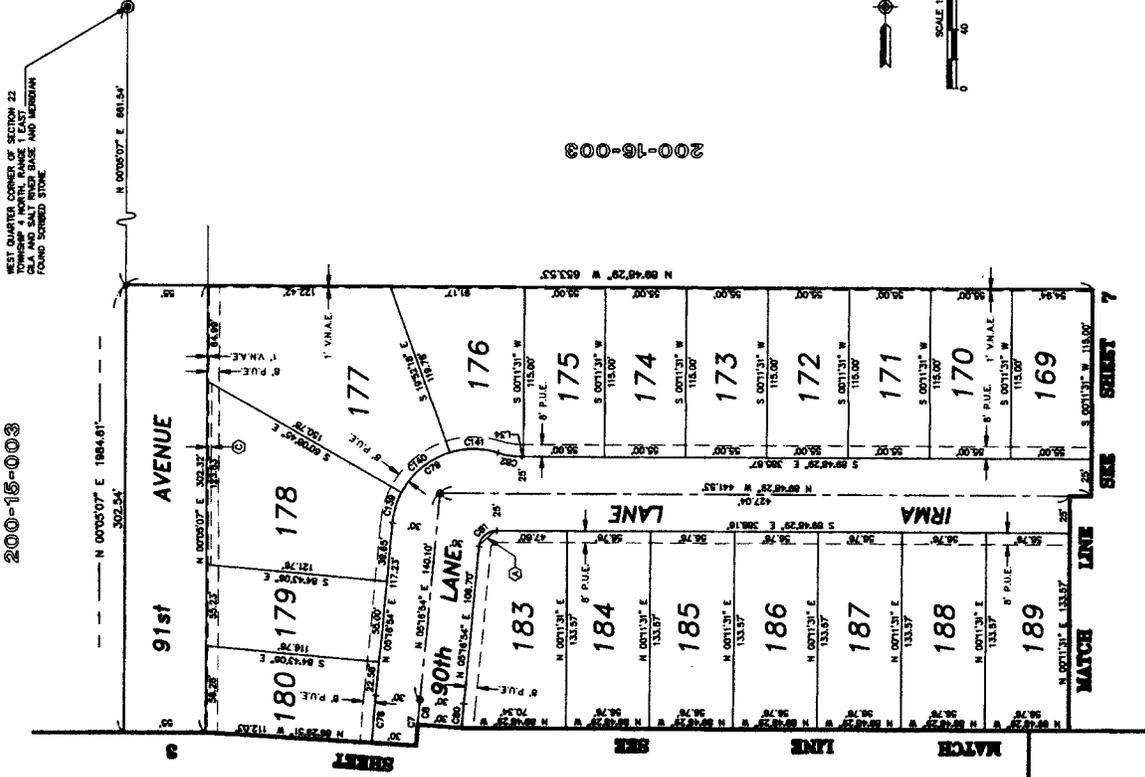
DOVE VALLEY RANCH PARCEL 6
 AEC #98435 DATE: 7/26/99
 SHEET 3 OF 7

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" BARS WITH CAP 15 FT DIA UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP FOR MAG STD DETAIL 100-1 TYPE B
- P.U.E. PUBLIC UTILITY CASHEMENT
- B.S.L. BUILDING SETBACK LINE
- V.A.L.L.E. VEHICULAR NON-ACCESS CASHEMENT
- ④ 10' x 10' VISIBILITY TRIANGLE
- ⑤ 25' x 25' VISIBILITY TRIANGLE
- ⑥ 3' WALL AND LANDSCAPE CASHEMENT



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WEST QUARTER CORNER OF SECTION 22
 FOUND IN PLACE
 OLD AND SALT INHER BASE AND MASONRY
 FOUND SCORED STONE

200-15-003

200-16-003

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF 1/4 SECTION 22, 1/4 SEC 22, 1/4 SEC 22, 1/4 SEC 22 WITH CAP IS APPROXIMATE POSITION OF CORNER STATED
- INTERIOR MONUMENT SET BRASS CAP PER MAG STD DETAIL 100-1 TYPE B
- P.U.E. PUBLIC UTILITY EASEMENT
- B.S.L. BUILDING SETBACK LINE
- V.A.A.E. VEHICULAR NON-ACCESS EASEMENT
- ⊙ 10' x 10' VISIBILITY TRIANGLE
- ⊙ 25' x 25' VISIBILITY TRIANGLE
- ⊙ 3' WALL AND LANDSCAPE EASEMENT

BOOK 508 PAGE 47
 OFFICIAL RECORDS OF
 THE PUBLIC RECORDS OFFICE
 OF THE STATE OF ARIZONA
 99-0739288
 08/05/99 09:35



508-47

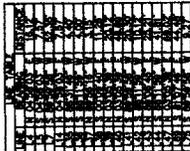
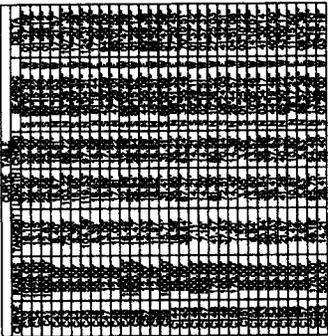
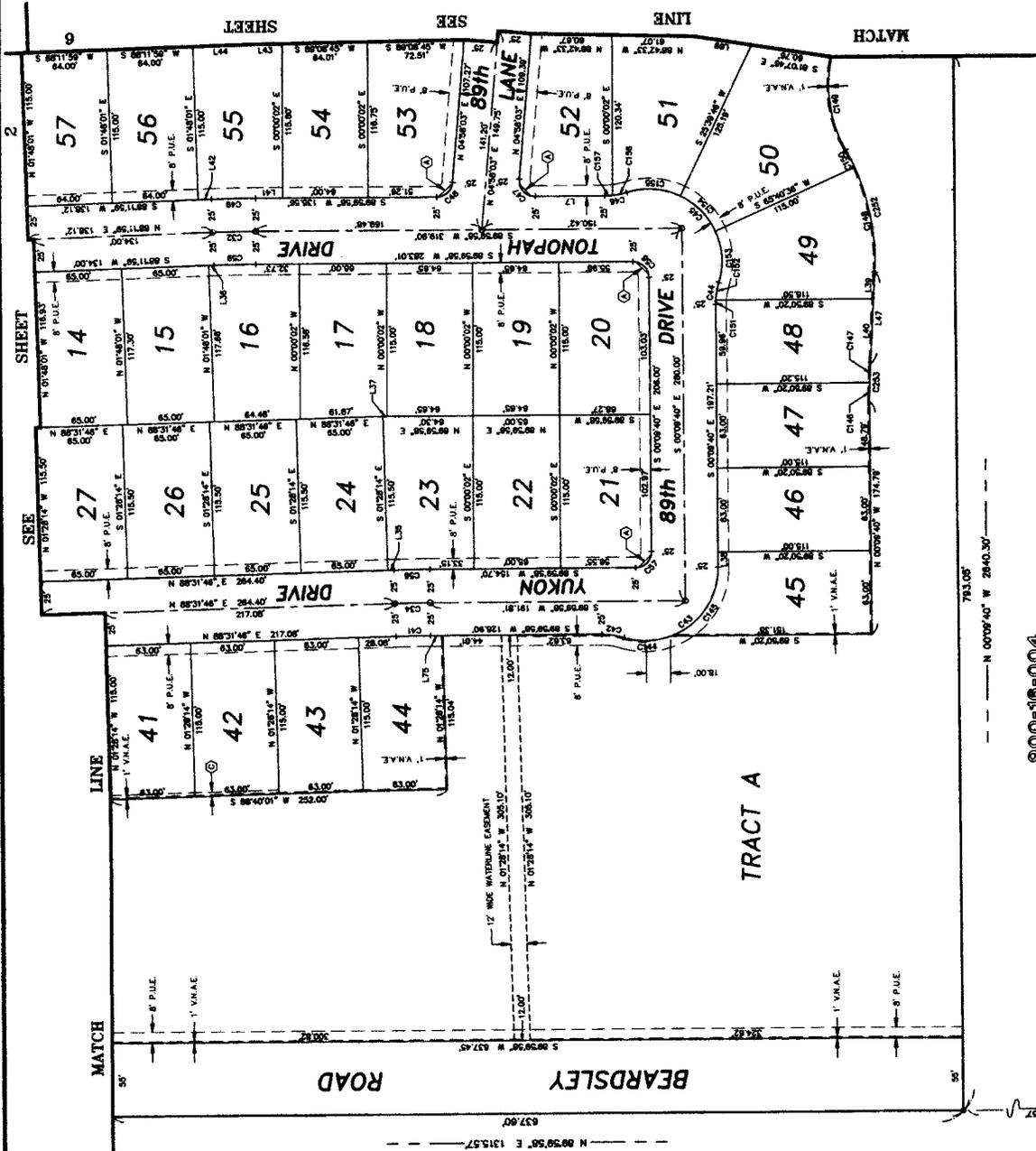


DOVE VALLEY RANCH PARCEL 6
 AEC #98435 DATE: 7/26/99
 SHEET 4 OF 7



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BOOK 508 PAGE 47
 OFFICIAL RECORDS OF
 MARICOPA COUNTY
 HELEN PARCELL
 99-0739288
 07/03/99 DP:35

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CORNER OF THIS SUBDIVISION SET 1/2" BAR WITH CAP LS 3/16" DIA UNLESS OTHERWISE STATED
- INTERIOR MONUMENT SET BRASS CAP PER IAG STD DETAIL 100-1 TYPE B
- PUBLIC UTILITY EASEMENT
- BUILDING SETBACK LINE
- VEHICULAR HIGH-ACCESS EASEMENT
- 10' x 10' VISIBILITY TRIANGLE
- 25' x 25' VISIBILITY TRIANGLE
- 5' WALL AND LANDSCAPE EASEMENT



508-47

DOVE VALLEY RANCH PARCEL 6
 AEC #98435 DATE: 7/26/99
 SHEET 5 OF 7

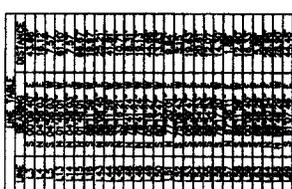


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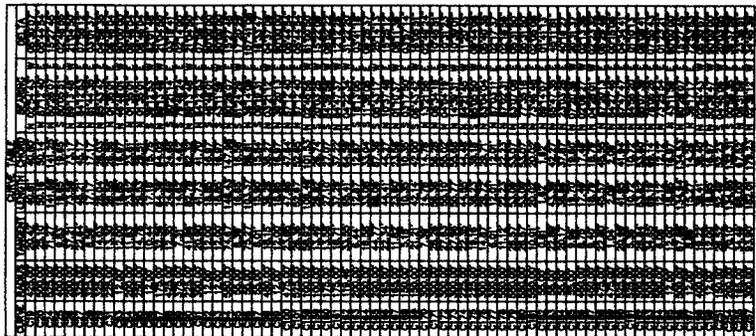


900-15-004

SOUTH QUARTER CORNER OF SECTION 22
 FOUND 5/8" IRON BAR
 OLD AND SALT RIVER BASE AND MERIDIAN
 FOUND 5/8" IRON BAR

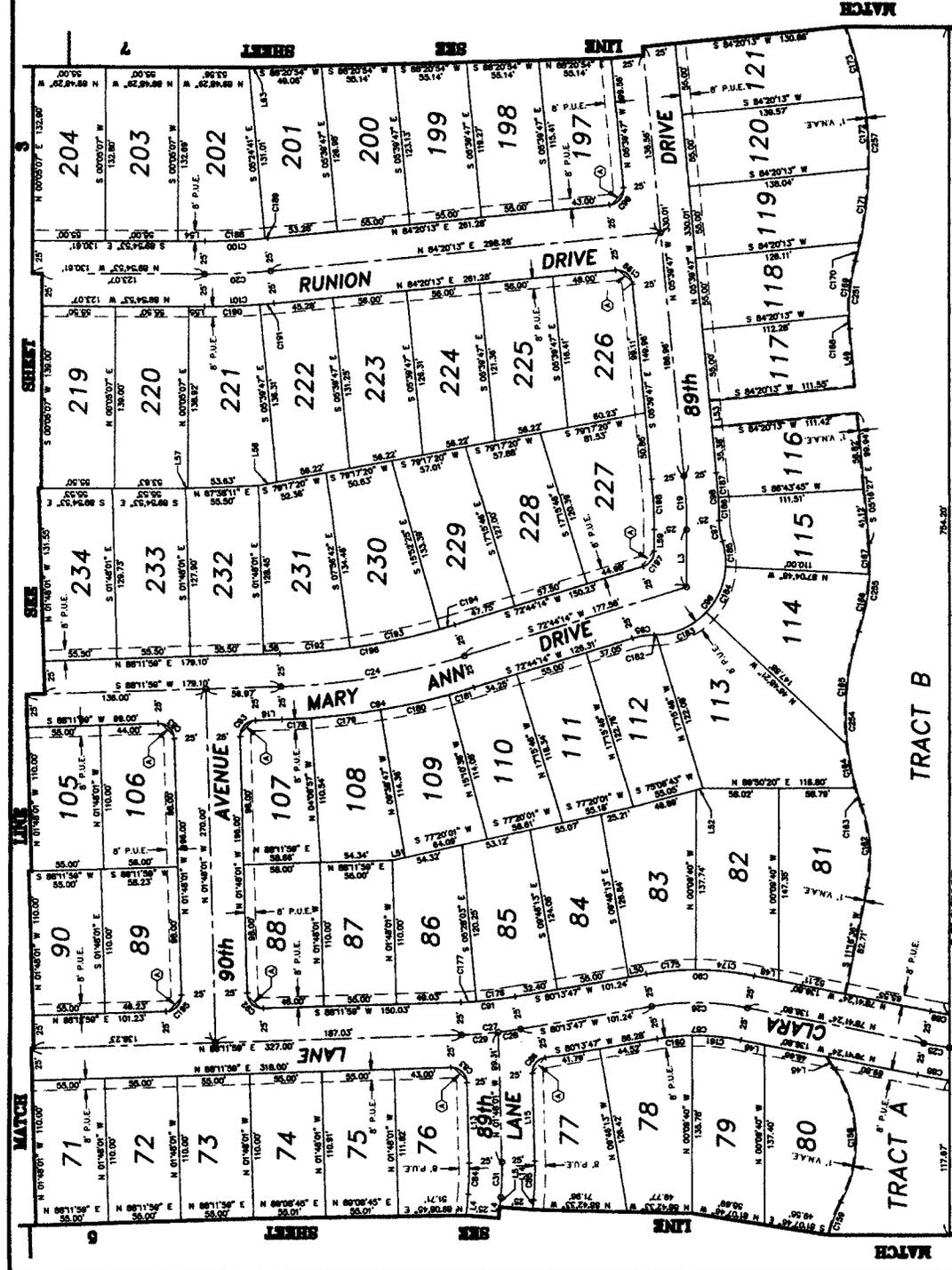


BOOK 508 PAGE 47
 OFFICIAL RECORDS OF
 MARICOPA COUNTY RECORDER
 99-0739288
 08/02/99 09:35



Handwritten signature

DOVE VALLEY RANCH PARCEL 6
 AEC #98436 DATE: 7/28/99
 SHEET 6 OF 7



200-18-005
 508-477

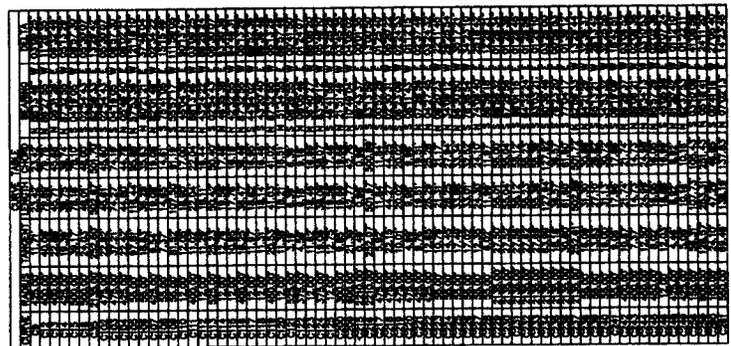
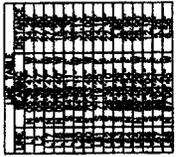
200-18-004

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 Professional Engineers, Planners & Surveyors
 21442 NORTH 20TH AVENUE, PHOENIX, ARIZONA 85027 - (602)-562-0288

LEGEND

- SURVEY MONUMENT (FOUND AS NOTED)
- CENTER OF THIS SUBDIVISION SET 1/2" BAR WITH CAP 1/2" PERIMETER UNLESS OTHERWISE STATED
- OTHER MONUMENT SET BY THIS OFFICE PER THIS SITE PLAN
- PUBLIC UTILITY EASEMENT
- BUILDING SETBACK LINE
- VEHICULAR NON-ACCESS EASEMENT
- 10' x 10' VISIBILITY TRIANGLE
- 25' x 20' VISIBILITY TRIANGLE
- 3' WALL AND LANDSCAPE EASEMENT

BOOK 508 PAGE 47
 OFFICIAL RECORDS OF
 MARICOPA COUNTY RECORDS
 99-0739288
 08/02/99 06:35



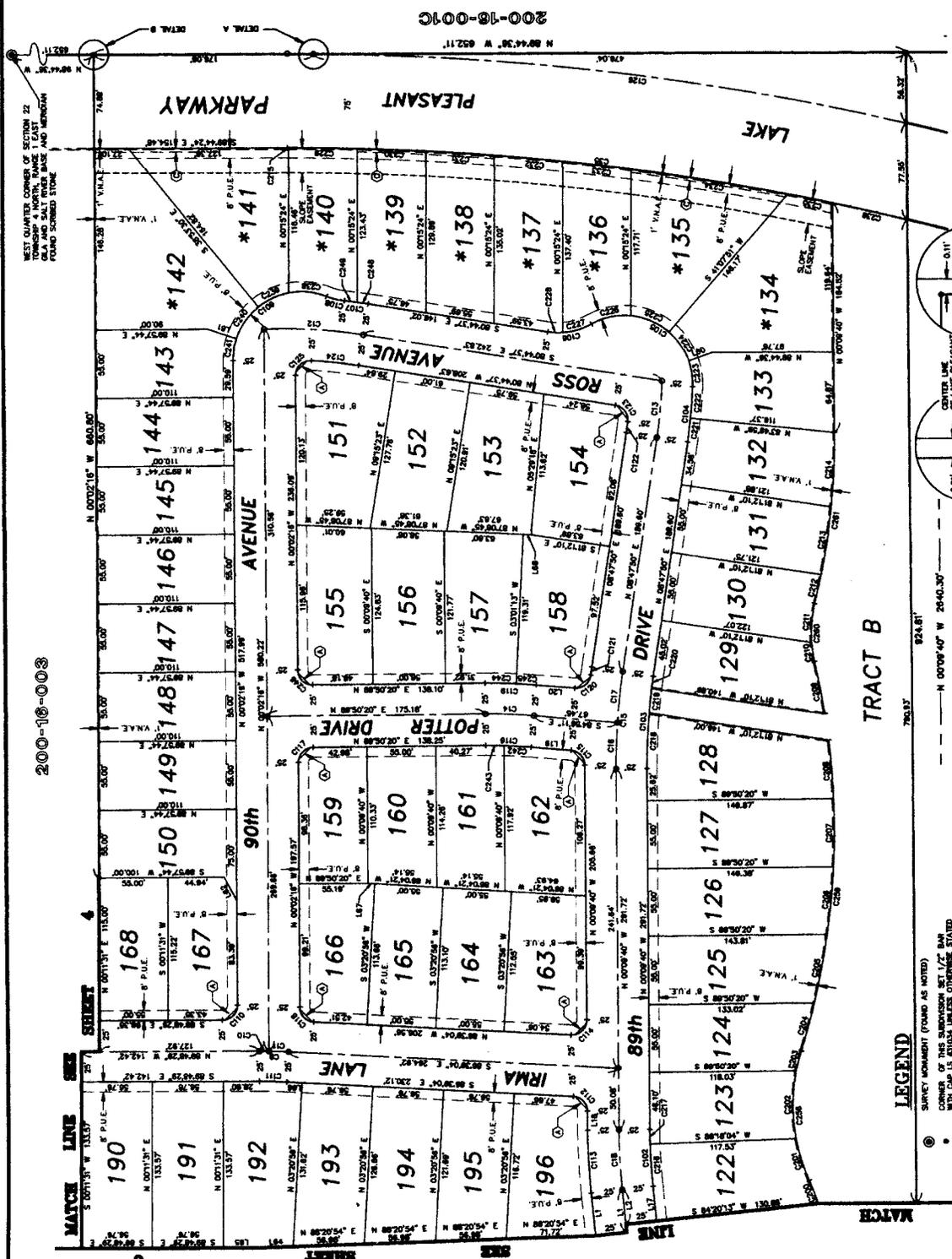
DOVE VALLEY RANCH PARCEL 6
 AEC #98435 DATE: 7/26/99
 SHEET 7 OF 7

508-47

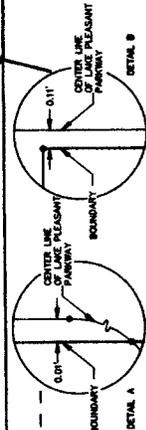
AMERICAN ENGINEERING CO.
 Robert Brin, William Frost & Associates
 Professional Engineers, Planners & Surveyors
 2142 NORTH 20TH AVENUE, PHOENIX, ARIZONA 85027 (602) 582-0282



- LEGEND**
- SURVEY MONUMENT (FORMS AS NOTED)
 - CORNER IS THIS MONUMENT IS NOTED
 - WITH 50% IS PLAIN SURFACE OTHERWISE STATED
 - STD DETAIL 100-1 TYPE B
 - 25' X 25' MONUMENT
 - 10' X 10' MONUMENT
 - 3' WALL AND LANDSCAPE EASEMENT
 - PUBLIC UTILITY EASEMENT
 - B.S.L. BUILDING SETBACK LINE
 - VAL.A.E. VEHICULAR NON-ACCESS EASEMENT
 - 10' X 10' VEHICULAR TRIANGLE
 - 25' X 25' VEHICULAR TRIANGLE
 - 3' WALL AND LANDSCAPE EASEMENT



LOT 124 THRU 143 MAY BE ADVERSELY IMPACTED BY THE FUTURE LAKE PLEASANT PARKWAY



TRACT B

200-16-003

200-16-005

200-16-007C

200-16-003

MATCH LINE

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