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April 17, 2017

Scott Hesla
c/o Docket Control
Arizona Corporation Commission
Utilities Division
1200 W. Washington
Phoenix, AZ 85007

Arizona Corporation Commission
DOCKETED

APR 19 2017

DOCKETED BY
GJB

Re: Naval Bales
dba Sunizona Water Company
Docket Number: W-03912A-17-0081

Dear Mr. Hesla:

I represent Mr. Naval Bales dba Sunizona Water Company in Cochise County, Arizona.

Mr. Bales received notification from your office of a series of complaints to which he must reply. These complaints were authored by a Mr. Jeff Herbst, a person whom I understand is residing in a mobile home that has not been permitted and accordingly, has no street mailing address.

Mr. Herbst has been filing numerous complaints against my client and we would like the opportunity to review and research each matter and to provide a comprehensive response.

I would advise that Mr. Herbst has in the past used the mailing addresses of neighbors who at this time are refusing to accept mail for him.

Mr. Herbst has also filed a restraining order against my client and is preventing him from reading the water meter, yet is filing complaints that he is not receiving bills for water usage. Your investigator, Jenny Gomez, advised my client to send Mr. Herbst's water bills to her at her

Tucson office. Accordingly, my client sent to the bills to Ms. Gomez as instructed and the March bill was returned to him marked "return to sender".

Last week, Jenny Gomez sent another complaint to my client stating that Mr. Herbst is not receiving water bills and requested an explanation. She phoned the neighbor, who is willing to testify, and defended Mr. Herbst's use of the neighbor's mailing address. She was advised that Mr. Herbst could not use the neighbor's mailing address any longer.

My client believes he is being harassed by Mr. Herbst and that your investigator is aiding that harassment for whatever personal reason she may have.

As my client is not allowed to read the meter due to the restraining order, we would like the Corporation Commission to advise what to do in this case. Mr. Herbst has called the Cochise County Sheriff's Department when my client goes to neighbor's houses, and we are concerned, as are they, about an escalation of the situation.


At this time, as I understand, the facts are as follows:

1. The complainant has no mailing address.
2. The residence he occupies is not permitted,
3. There is no sewer or septic system on the property,
4. There is no authorized electricity to the residence.
4. My client is unable to read the water meter or deliver a water bill due to the restraining order.
5. Your investigator either knows, or should know, about the above.
6. According to the persons to whom I have spoken, your investigator has created the appearance of impropriety.

We are requesting that the matter be set over and that a new investigator be assigned to review the situation and that the Arizona Corporation Commission take whatever steps are necessary to diffuse the situation before it escalates further.

Thank you in advance for your attention to this matter. Please do not hesitate to contact me with any questions or concerns.

Very Truly Yours,


Melinda Cauvin

cc: Client