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May 1, 2017



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Docket # W-039128-17-0081

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Docket Control

AZ. Corp. Commission Utilities Division

1200 W. Washington

Phoenix, AZ 85007

Arizona Corporation Commission

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MAY 4 2017

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This letter is my response to the April 17, 2017 letter addressed to Scott Hesla c/o Docket Control submitted by Law office of Melinda Cauvin regarding Docket # W-039128-17-0081.

On the second page of the submitted letter is a numerical list of so called facts.

I'll begin by addressing numbers 2, 3, and the first 4, which state: The ~~corp~~ residence he occupies is not permitted, there is no sewer or septic system on the property, and there is no authorized electricity to the residence. First, anything beyond my meter is not water company business. Second, I actually have all my permits including one to build a house. Third, Dean Bales has previously contacted the Corp. Commission to shut-off my water because I didn't have an address assigned to my property which has no legal basis. This is another retaliatory attempt to get the Corp. Commission approval to shut-off my water.

Now I will address items 5 and 6 by saying they are for Connie Walczak to address.

Item number 1 states: The complainant has no mailing address. I found out that the Cochise County Planning and Zoning doesn't issue an address if you live in a travel trailer. For the first 2 yrs. Dean Bales mailed my bills to my mom's

address in Tucson. The Whittakers allowed me to ~~can~~ use their address for MVD, and to receive important mail from vehicle insurance company, property tax and eventually when my mom became too sick Dean mailed my ^{water} bills for about 2 yrs. to the Whittakers' address. Starting June of 2016 Dean mailed my bills to my next door neighbors the Welters who agreed to receive my water bills. Both the Whittakers and Welters pay for Dean's water. The Welters were approached by Dean Bales right after Dean became aware that I contacted the Corp. Commission. ~~The~~ I ~~can~~ told Jenny Gomez of this retaliation and is documented and part of my Formal Complaint. Linda Welter called and told me she and her husband do not want to be involved in legal matters between me and Dean and I can no longer use their address for my bills. I asked Jenny Gomez what Dean plans on doing with my bills now that he ~~has~~ was video recorded telling me he will no longer mail my bills to other people's addresses. ~~and I~~ She asked Dean if he would hand deliver my bills and he said no it was too far to drive. I stated in my Formal Complaint that Dean has no legal grounds to refuse my mailing address of choice, but I was not going to have him send my bills back to the Whittakers' address because he would threaten them. I requested my bills be sent to the Corp. Commission ensuring ~~my~~ that I get a bill and Dean has a safe place to mail me a bill until this gets resolved at the hearing.

On Saturday April 2nd Mitch Whittaker called and said I can't use their address anymore. He said he has to maintain a relationship with Dean to get water. They haul water from another of Dean's well which is not under Sunizona Water Co. and pay personal check. I used the Whittaker's address on my Formal Complaint and Dean doesn't want me getting mail from the Corp Commission. On Monday April 4th I went to the post office about having my mail forwarded.

When a postal employee heard I had my building permit she said I should have an address to my property and after calling Planning and Zoning I found out I indeed had an address to my property. I reported Dean's interference with the Whittaker's to Jenny Gomez and told her about having an address which would be available after I get a mailbox at the post office files the paperwork and then an additional 7-10 days before my mail gets forwarded to my new address.

Now the final item I will respond to is the second number four which states: My client is unable to read the water meter or deliver a water bill due to the ~~restraining~~^{restraining} order. On March 13th 2017, I received an Injunction of Harassment against Dean Bales who had 10 days to challenge it. Dean did not challenge it. I brought up my concerns about reading my meter to the judge. I told the judge for the ^{last} 5 yrs. Dean has had assistants who got out of ~~the~~ Dean's vehicle and read the meters. David McKay and David Paup have been his assistants. I gave the judge examples of Dean's potential for violence towards me and that he carries a pistol on him, and I do not feel safe and that

most likely occurrence for an incident would be on water reading day. The judge concluded that it's Dean's responsibility to have someone else read my meter and he should stay away from my property. The judge also advised me to keep video recording.

The Injunction was served on March 28th by Deputy Domingo who advised Dean to have someone else read my meter and Dean could stay away from my property. On April 1st I video recorded Dean and his David Paup at my meter. David Paup was bent over the meter for more than a minute clearly doing more than reading the meter. I reported the violation to Deputy Hathaway. On April 10th, as I was leaving my property, I saw Dean's truck parked at the Welters gate and saw Dean in front of the Welters house. I couldn't leave because this would have given Dean a clear opportunity to access and break my water line. I stayed home until he left and spoke with Deputy Larimer, who ~~said~~ said Dean is "pushing the boundary", but probably couldn't write him for a violation. He suggested getting day/night surveillance cameras. He did ask the Welters why Dean was at their home and they told him he brought over their water bill and then had coffee. The deputy did not tell them about the Injunction of Harassment nor have I.

The 10th of the month is the due date on our water bills. Dean had told Jenny Gomez he would not hand deliver my bill was because it was too far to drive. Yet he hand delivered their bill to them.

The real reason for Dean being at the Welters was not to deliver mail. Dean has no prior history of delivering bills

or visits for pleasure at the Welters.

I have not received my March 2017 water bill despite the meter being read and Jenny Gomez filed Complaint # 140130. Dean had 5 days to respond and did not.

Today is May 1, 2017 and I video recorded Dean and David Paup both bent over my meter. Why didn't Dean have his assistant come down alone from the Welters meter to read the meter? I have told the Sheriff's, the judge, Jenny Gomez and Connie Walczak that Dean keeps looking for opportunities to get into my meter box where he intends to cause damage to my water line once again. Dean was probably inside the meter box for about a minute by the time I reached my gate and questioned him. Deputy Paz watched the video and left to serve Dean the court order violation.

In conclusion, the Injunction of Harassment does not prevent Dean Balas from getting someone else to read the meter. It is his responsibility as it is his responsibility to have someone read meters, fix water breaks, send bills and so on for any other reason. For example, if Dean was hospitalized for weeks or on vacation. Ralph Welter told me last year Dean went to Ohio for 2 weeks. Did he contact the Corp Commission and request advice or state he is shutting the Surizina Well down until he returns? Dean has had his assistant David Paup read the meter on April 1st and May 1st after receiving the Injunction on March 28th. He has simply ignored it twice when he could have stayed back at the Welters meter box.

Jeff Herbst
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