

From: Afary, Lena <Lena.Afary@cpuc.ca.gov>

Sent: Tuesday, October 10, 2023 10:09 AM

To: pokeyjaramillo8603@gmail.com; jmn3141@aol.com; cnmoney@aol.com; Afary, Lena <Lena.Afary@cpuc.ca.gov>; Warner, Jessica <Jessica.Warner@cpuc.ca.gov>; 'Havasu Water' <HavasuWater@outlook.com>

Cc: Colbert, W. Anthony <W.Anthony.Colbert@cpuc.ca.gov>; Gutto, Shane <Shane.Gutto@cpuc.ca.gov>

Subject: NOTICE OF SUPPLEMENTAL HEARING(S) REGARDING NON-CONSOLIDATED EXPEDITED COMPLAINT C23-02-008 AND C23-02-009 PROCEEDINGS HAVASU WATER

The Docket Office Shall formally file this Ruling. It is so Ruled.

Lena Afary (She/Hers)
Administrative Law Judge
California Public Utilities Commission
Lena.Afary@cpuc.ca.gov

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Marion Jaramillo and Susan Newton
d/b/a Firebelles,
Complainants,

vs.

Havasu Water Company, Inc. (U352W),
Defendant

(ECP)
Case (C.) 23-02-008

NOTICE OF SUPPLEMENTAL HEARING(S) REGARDING NON-CONSOLIDATED EXPEDITED COMPLAINT C23-02-008 AND C23-02-009 PROCEEDINGS HAVASU WATER.

1. Procedural History.

Complainants Marion Jaramillo and Susan Newton d/b/a Firebelles, et al. filed Expedited Complaint (ECP) (C.) 23-02-008 on February 14, 2023, alleging that Havasu Water Company Inc. (U352W) erred in calculating their water bills. This matter came for hearing on May 11, 2023. Complainants were present. Defendant was not. As of July 17, 2023, Complainants, Marion Jaramillo, and Susan Newton d/b/a Firebelles have submitted impound funds to the Commission pursuant to the provisions of Pub. Util. Code §1702.2(a) in the sum of \$3,414.56

Complainants Gary Chamberlin, Charles Ramsden, and Susan Wilson filed (ECP) Case (C.) 23-02-009 on February 15, 2023, alleging Havasu Water Company Inc. (U352W) erred in calculating their water bills. This matter came for hearing on May 25, 2023. Complainants were present. Defendant was not. As of July 17, 2023, Complainants, Gary Chamberlin, Charles Ramsden, and Susan Wilson have submitted impound funds to the Commission pursuant to the provisions of Pub. Util. Code §1702.2(a) in the sum of \$5,064.78.

There was a third complaint filed within the same time-period, ECP Case (C.) 23-05-011 on May 11, 2023 (Sammy R. Hernandez v. Havasu Water Company Inc. (U352W)) similarly alleging Havasu Water Company Inc. erred in calculating their water billing. This matter came for hearing on July 11, 2023. Both Complainants and Defendant were present at the hearing.

In the interim, the Administrative Law Judge (ALJ) assigned to these matters issued cease and desist letters to Defendant Havasu Water to enjoin them from cutting off water to the various Complainants in their respective actions during the pendency of the litigation. The respective parties thereafter amended

their matters with electronic correspondence. All Complainants have paid some ensuing bills to the CPUC via impound. Therefore, final resolution of this matter involves the final disbursement of amounts in CPUC impound to the respective parties. We now take this last, and final, opportunity to issue orders to afford parties an opportunity to amend their records for final adjudication.

2. C23-02-008 and C23-02-009 Set for Supplemental Hearing:

Defendant maintains they were unaware of the filing of the Complaints and of the Notices to Answer by the Commission setting the hearing dates for C23-02-008 (Jaramillo, Newton, & the Firebelles) and C23-02-009 (Chamberlin, Ramsden, & Wilson). Therefore, in the interests of justice and to facilitate final resolution, matters C23-02-008 (Jaramillo, Newton, & the Firebelles) and C23-02-009 (Chamberlin, Ramsden, & Wilson) are set for Supplemental Hearing on October 20, 2023. Both matters will be heard on the same day with the same WebEx invitation. The WebEx information is included at the end of this Order.

ALL Complainants are ORDERED to file and serve to the CPUC Docket Office, to Havasu Water, in their respective matters, and courtesy copy to ALJ at Lena.Afary@cpuc.ca.gov, the following:

- A. Short itemized billing statements for the dates and times they are requesting reimbursement, with accompanying documentation in the form of billing statements. Do not provide identifying information that includes social security numbers or other such specific personal information. Do provide names.
- B. A final dollar amount for requested reimbursement and the specific basis for that request.
- C. The information provided should not be more than five (5) pages, per matter

For each matter, Defendant Havasu Water is ORDERED to file and serve to the CPUC Docket Office, to Complainants in their respective matters, and courtesy copy to ALJ at Lena.Afary@cpuc.ca.gov, the following:

- D. Information and the method by which Havasu Water calculates water billing rates per day/ per week/ and per month for Claimants.
- E. Information and the method by which Havasu calculates water billing rates for seasonal differences.
- F. Information and method by which Havasu calculates water billing rates during “Boil Water Notice” events and “Do Not Drink” water notice events.
- G. The information provided should not be more than five (5) pages, per matter.

H. No Further Payments to CPUC Impound.

As the parties have informed the CPUC and the assigned ALJ that they have not had any further loss of water, the parties are hereby ORDERED to resume payments to Havasu Water for the use of their utilities. Payments that have already been made to CPUC impound will be disbursed with the final adjudication of these matters.

3. IT IS RULED that:

A. These matters (C23-02-008 and C23-02-009) are set for hearing on Friday October 20, 2023 at 1:30 pm. WebEx information follows.

B. Complainants are ORDERED to file and serve to the CPUC Docket Office, to Havasu Water, in their respective matters, and courtesy copy to ALJ at Lena.Afary@cpuc.ca.gov:

- 1) Short itemized billing statements for the dates and times they are requesting reimbursement, with accompanying documentation in the form of billing statements. Do not provide identifying information that includes

WebEx Hearing Information for October 20, 2023:

Meeting link:

<https://cpuc.webex.com/cpuc/j.php?MTID=m89785bde42174b5fb42086261bcee2fb>

Meeting number:

2490 966 7973

Meeting password:

mdV4622kCy6

Join from a video or application

Dial 24909667973@cpuc.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

1-855-282-6330 United States Toll Free

+1-415-655-0002 United States Toll

Access code: 24909667973

Global call-in numbers

<https://cpuc.webex.com/cpuc/globalcallin.php?MTID=m4f2de8ffbe13720b522c981e9d68f5dd>

Toll-free calling restrictions

<https://cisco.com/go/tollfree-restrictions>

The Docket Office Shall formally file this Ruling. It is so Ruled.