

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED

12/01/23

04:59 PM

C2312002

Louie Osuna and Vicki Osuna,

Complainants,

vs.

Havasu Water Company, Inc.(U352W),

Defendant.

ECP Case (C.) _____

Expedited Complaint
(Rule 4.6)

COMPLAINANTS	DEFENDANT
Louie Osuna and Vicki Osuna 10107 Zinfandel Lane Riverside CA 92509 T1: 951-368-3070 T2: 951-317-1388 E-mail: Barlin3kids@yahoo.com	Havasu Water Company, Inc. (U352W) Attn: Jennifer Hodges, President 25108 Marguerite Parkway, Suite A-252 Mission Viejo CA 92692 T: 949-457-9066 E-mail 1: cnmoney@aol.com E-mail 2: HavasuWater@outlook.com

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

(A) *Louie J. Osuna*
Vicki A. Osuna

COMPLAINANT(S)

vs.

Havasu Water Company

(B)

DEFENDANT(S)

(Include Utility "U-Number", if known)

(for Commission use only)

(C)

Have you tried to resolve this matter informally with the Commission's Consumer Affairs staff?

☐ YES

☒ NO

Has staff responded to your complaint?

☐ YES

☒ NO

Did you appeal to the Consumer Affairs Manager?

☐ YES

☒ NO

Do you have money on deposit with the Commission?

☐ YES

☒ NO *Included with Complaint Form. See cover letter*

Amount \$

Is your service now disconnected?

☒ YES

☐ NO

COMPLAINT

(D)

The complaint of (Provide name, address and phone number for each complainant)

Name of Complainant(s)	Address	Daytime Phone Number
<i>Louie J. Osuna</i>	<i>10107 Zinfandel LN Riverside CA</i>	<i>951 368-3070</i>
<i>Vicki A. Osuna</i>	<i>92509</i>	<i>951 317-1388</i>

respectfully shows that:

(E)

Defendant(s) (Provide name, address and phone number for each defendant)

Name of Defendant(s)	Address	Daytime Phone Number
<i>Havasu Water</i>	<i>P.O. BOX 1690</i>	<i>1760</i>
<i>RECEIVED</i>	<i>Havasu Lake, CA 92363</i>	<i>858-4619</i>

PUBLIC UTILITIES COMMISSION

NOV - 9 2023

Formal Complaint Form - Page 1 of 6

SAN FRANCISCO OFFICE

(F)

Explain fully and clearly the details of your complaint. (Attach additional pages if necessary and any supporting documentation)

Beginning in March 2022, our residence located in Havasu Lake, CA., lost water services. We were without ANY water for 10 days. Not only our home, but also service for the fire hydrants in the Community. No efforts for safe drinking water were ever provided to us. Water services were sporadic. Continuing into 2023, we have been continuously issued "Do Not Drink" * along with "Boil Water" notices.

For 50% of the time, we had to endure unsafe potable water in addition to NO water services due to the system being in "extreme disrepair" and many other days with extremely low water pressure. Our Community suffered the loss of two (2) structures due to this issue. Violations were issued to Havasu Water Company during this time by the PUC.

To this date, no back-up system is in place should a power outage or failure/rupture in the water system occurs.

We, as customers, believe to have been unfairly charged the full amount in both water usage and service fees for unsafe water conditions during this period.

*See Attachment to F

(G) Scoping Memo Information (Rule 4.2(a))

(1) The proposed category for the Complaint is (check one):

☒ adjudicatory (most complaints are adjudicatory unless they challenge the reasonableness of rates)

☐ ratesetting (check this box if your complaint challenges the reasonableness of a rates)

(2) Are hearings needed, (are there facts in dispute)? ☒ YES ☐ NO

(3) ☒ Regular Complaint ☐ Expedited Complaint

(4) The issues to be considered are (Example: The utility should refund the overbilled amount of \$78.00):

- a) Reduction of water usage and services fees by 50% beginning March 2022 through June 2023. For over 50% of the time, the water service has been unreliable and unsafe to drink or shower;
- b) Removal of all late fees. Havasu Water Company has been and continues to be non-compliant.

* See attached

*** F attachment**

March 21, 2022 thru March 26, 2022	Water Outage
March 26, 2022 thru April 25, 2022	Do Not Drink
April 25, 2022 thru May 27, 2022	Boil Notice
July 12, 2022 thru July 23, 2022	Boil Notice
October 17, 2022 thru December 22, 2022	Boil
January 2, 2023 thru January 13, 2023	Boil
February 13, 2023	Boil
February 26, 2023	Boil
March 6, 2023 Cancel Boil Water Notice	
March 7, 2023 thru present date	Unreliable water service

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

(The following two sentences are in Spanish relaying information on the importance of this notice. Translated to English it would read as follows. [This notice contains important information regarding your drinking water, please read the Spanish notice if it is included. If the Spanish notice is not included, please contact the water system and ask for a copy.])

Este aviso contiene información muy importante sobre su agua potable, por favor lea el aviso en español si va aquí incluido. Si el aviso en español no va incluido aquí, contacte al sistema de agua para pedir una copia.

Havasus Water Company has levels of Total Trihalomethanes Above Drinking Water Standards

— Our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results we received on February 23, 2023 show that our system exceeded the standard, or maximum contaminant level (MCL), for Total Trihalomethanes. The MCL standards for Total Trihalomethanes are .08 mg/L. The average level of Total Trihalomethanes over the last year was .09 mg/L.

What should I do?

- You do not need to use an alternative (e.g., bottled) water supply.
- This is not an immediate risk. If it had been, you would have been notified immediately. However, some people who drink water containing trihalomethanes in excess of the MCL over many years may experience liver, kidney, or central nervous system problems, and may have an increased risk of getting cancer.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

The ferry from Lake Havasu City has been stirring up an increased amount of sediment at the bottom of the lake, which during the summer produces increased levels of TTHM. Lab results were not available for fall 2022, resulting in a locational running annual average only .01 mg/L above the MCL.

We anticipate resolving the problem within, the time allowed by law.

For more information, please contact; Sean Chapin at, 148896 N. HavasuLake Road
HAVASULAKE, CA 92363

- (5) The proposed schedule for resolving the complaint within 12 months (if categorized as adjudicatory) or 18 months (if categorized as ratesetting) is as follows:

Prehearing Conference: Approximately 30 to 40 days from the date of filing of the Complaint.
Hearing: Approximately 50 to 70 days from the date of filing of the Complaint.

Prehearing Conference (Example: 6/1/09):	12/15/23
Hearing (Example: 7/1/09)	1/14/24

Explain here if you propose a schedule different from the above guidelines.

(H)

Wherefore, complainant(s) request(s) an order: State clearly the exact relief desired. (Attach additional pages if necessary)

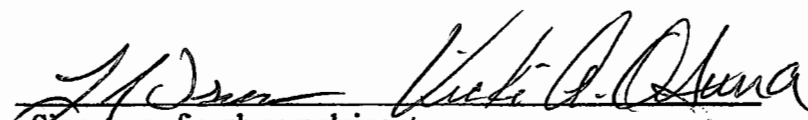
1. Havasu Water Company needs to meet State required minimum standards for providing safe potable water 100% time. Upgrade current failing system.
2. Service fees and water usage rates reduced March 2022 through June 2023 by 50%.

(I)

OPTIONAL: I/we would like to receive the answer and other filings of the defendant(s) and information and notices from the Commission by electronic mail (e-mail). My/our e-mail address(es) is/are:

(J)

Dated Riverside, California, this 5 day of 11, 2023
(City) (date) (month) (year)


Signature of each complainant

(MUST ALSO SIGN VERIFICATION AND PRIVACY NOTICE)

(K)**REPRESENTATIVE'S INFORMATION:**

Provide name, address, telephone number, e-mail address (if consents to notifications by e-mail), and signature of representative, if any.

Name of Representative:	
Address:	
Telephone Number:	
E-mail:	
Signature	

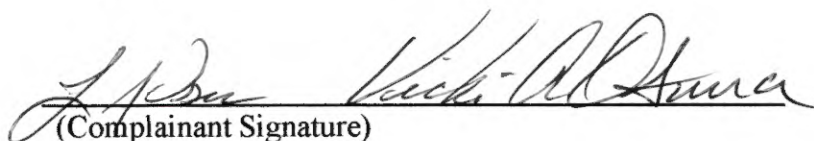
VERIFICATION
(For Individual or Partnerships)

I am (one of) the complainant(s) in the above-entitled matter; the statements in the foregoing document are true of my knowledge, except as to matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(L)

Executed on 11.5.23, at Riverside, California
(date) (City)


(Complainant Signature)

VERIFICATION
(For a Corporation)

I am an officer of the complaining corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

(M)

Executed on _____, at _____, California
(date) (City)

Signature of Officer

Title

(N) NUMBER OF COPIES NEEDED FOR FILING:

If you are filing your formal complaint on paper, then submit one (1) original, six (6) copies, plus one (1) copy for each named defendant. For example, if your formal complaint has one defendant, then you must submit a total of eight (8) copies (Rule 4.2(b)).

If you are filing your formal complaint electronically (visit <http://www.cpuc.ca.gov/PUC/efiling> for additional details), then you are not required to mail paper copies.

(O) Mail paper copies to: California Public Utilities Commission
Attn: Docket Office

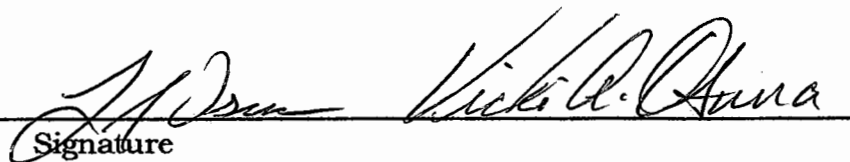
505 Van Ness Avenue, Room 2001
San Francisco, CA 94102

PRIVACYNOTICE

This message is to inform you that the Docket Office of the California Public Utilities Commission ("CPUC") intends to file the above-referenced Formal Complaint electronically instead of in paper form as it was submitted.

Please Note: Whether or not your Formal Complaint is filed in paper form or electronically, Formal Complaints filed with the CPUC become a public record and may be posted on the CPUC's website. Therefore, any information you provide in the Formal Complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the facts of your case may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced complaint.


Signature

11.5.23
Date

Louie S. Osuna Vicki A. Osuna
Print your name

Havasus Water Company
PO Box 1690
Havasus Lake, CA 92363
(760) 858-4619

CUSTOMER NUMBER	TOTAL DUE
1 15901	\$1,674.81

PLEASE MAKE CHECK PAYABLE TO:

Havasus Water Company
PO Box 1690
Havasus Lake, CA 92363

LOUIE & VICKI OSUNA
10107 ZINFANDEL LN.
RIVERSIDE, CA 92509
|||||



PAST DUE

DUE DATE
8/19/2023
SERVICE ADDRESS:
148534 PANOPLY RD.

PLEASE RETURN THIS PORTION WITH PAYMENT

MAILING DATE	CUSTOMER NUMBER	DUE DATE	TOTAL DUE	SERVICE ADDRESS:
7/31/2023	1 15901	8/19/2023	\$1,674.81	148534 PANOPLY RD.

DATE	DESCRIPTION	AMOUNT
6/29/2023	Previous Balance	\$1,528.82
6/30/2023	LATE CHARGE	\$25.00
7/31/2023	LATE CHARGE	\$25.00
7/31/2023	WATER USAGE FEE	\$6.41
7/31/2023	WATER BASE FEE	\$86.78
7/31/2023	.8% PUC FEE - WATER USE	\$0.05
7/31/2023	.8% PUC FEE - WATER BASE	\$0.69
7/31/2023	PUC REIMBURSEMENT FEE	\$2.06
TOTAL:		\$1,674.81

METER NUMBER	DATE OF SERVICE		METER READING		USAGE
	FROM	TO	FROM	TO	
1086	6/28/2023	7/27/2023	56000	56001	1

THIS PERIOD THIS YEAR: Units DAYS
 1 29

IMPORTANT MESSAGE

PAYMENT IS DUE WITHIN 19 DAYS OF THE MAILING DATE ON YOUR BILL
\$25.00 LATE CHARGE IF PAYMENT IS RECEIVED AFTER DUE DATE

\$25.00 LATE CHARGE IF PAYMENT IS RECEIVED AFTER DUE DATE

SUMMARY

The attached complaint dates are March 2022 through June 2023 asking for 50% deduction in water service and fees added.

On July 2, 2023, Ms. Jennifer Hodges, CEO of Havasu Water Company, was walking in our neighborhood. I (Louis Osuna) went up to her and introduced myself and asked about negotiating our water bill. Ms. Hodges agreed to negotiate and I then notified her that the ear-tab was tampered with and I was not at fault. I asked her again after telling her this if she was still willing to negotiate and she answered yes. I went and got my wife and checkbook and came back to Ms. Hodges and her male friend. The male friend then stated to us that they will not negotiate because he claimed we were at fault. and called the Sheriff Department. Officer Solomon spoke to Ms. Hodges and male friend and then came to me. I gave a recorded statement. No citation given. The officer left and about an hour later Ms. Hodge's friend, Sean Chapin returned and removed the meter to the property.

On billing dated September 28, 2023 (See Attachment), please note additional charges for the removal of meter and meter replacement costs (meter removed 7/2/2023), late fees, water base fee, etc. My frustration is how did Havasu Water Company billing come to these amounts.

As of October 6-9, 2023, I was on property and no meter was installed.

Public Utilities Commission
Attn: Docket Office
505 Van Ness Avenue
San Francisco, CA 94102

Enclosed please find personal check# 3822 in the amount of \$1674.81 to be deposited in an IMPOUND ACCOUNT until all matters pertaining to Formal Complaint are resolved. If accepted, all monies owed to Havasu Water Company will be forwarding to your office.

Attached is latest billing from Havasu Water Company billing period of June 29, 2023 thru July 31, 2023 stating amount owed to reflect amount above.

Disconnection of water services occurred on July 2, 2023. Meter removed.

RECEIVED
PUBLIC UTILITIES COMMISSION

NOV - 9 2023

SAN FRANCISCO OFFICE