



ALJ/LFY/jds 10/30/2024

**FILED**

10/30/24

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C2410016

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

Gary and Karen Chamberlin,  
Complainants,

vs.

Havasu Water Company, Inc.  
(U352W),

Defendant.

(ECP)  
Case 24-10-016

**ADMINISTRATIVE LAW JUDGE'S RULING ORDERING  
HAVASU WATER COMPANY, INC. TO  
CEASE & DESIST COLLECTIONS**

**Summary**

This Ruling Orders Defendant, Havasu Water Company Inc. (U352W), to cease and desist all collections against the Complainants Gary and Karen Chamberlin for actions stemming from the alleged failure to pay water bills as raised in Complaint Number C 24-10-016.

**1. Procedural and Factual Background.**

Complainants, Gary Chamberlin, Charles Ramsden, and Susan Wilson, filed action C.23-05-009 on February 15, 2023, alleging Havasu Water Company Inc. (U352W) erred in calculating their water billing while not providing water and charging unwarranted penalties and late fees.<sup>1</sup>

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<sup>1</sup> See generally, C.23-05-009 Complaint, at 1-5.

**1.1. Cease and Desist Notice(s)  
Issued Against Defendant 2023 for C.23-05-009.**

On February 16, 2023, the assigned Assistant Chief Administrative Law Judge, W. Anthony Colbert, issued an email ruling to the Defendant to suspend all disconnection activity pending against Complainants during the pendency of the litigation. The assigned Administrative Law Judge (ALJ), Lena Afary, codified the email ruling with a formal ruling issued on March 13, 2023.

**1.2. Evidentiary Hearing(s) 2023 for C.23-05-009.**

That matter first came for hearing on May 25, 2023 and for supplemental hearing and testimony by Webex for October 20, 2023 and by supplemental testimony throughout the year by email.

**1.3. Final Decision for C.23-05-009.**

This Decision in this matter was signed on March 21, 2024, and issued on March 25, 2024<sup>2</sup> and required the Complainants to resume payments to Havasu Water for their water consumption in lieu of paying to the California Public Utilities Commission (CPUC) impound account. The Decision disbursed money in the CPUC impound funds. That proceeding then closed, and CPUC then returned outstanding checks and disbursed monies in impound accounts.

**1.4. Motion for Rehearing and Second  
Cease and Desist for C.23-05-009.**

On April 11, 2024, Defendant filed a “motion for rehearing,” which was adjudicated on August 1, 2024. This matter came for an Order to Show Cause (OSC) on June 27, 2024 for Defendant’s alleged conduct in trying to collect the past bills. At that June 27 2024 OSC Defendant, through Counsel, agreed to remove such charges and late fees from Complainant’s bills pending

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<sup>2</sup> See Decision (D.) 24-03-053 March 21, 2024 (Date of Issuance 3/25/2024).

determination of the Motion for Rehearing. In the “Order Clarifying Certain Holdings of Decision 24-03-053 and Denying Rehearing of the Decision,” (Order Clarifying Decision) the Commission carefully considered all the arguments presented by the rehearing applicant and did not find grounds for granting rehearing or oral argument. The Commission did, however, clarify a portion of the Decision related to the readiness-to-serve charge. The readiness to serve fee is a flat service fee on each monthly bill. Rehearing of the Decision was thereafter denied. In short, the Commission determined that “the 56% reduction to Complainants’ water bills is not applicable to the readiness-to-serve fee” in that matter, C.23-05-009.

**2. Instant Matter C. 24-10-016 Cease and Desist.**

Complainants Gary and Karen Chamberlin filed the instant action on or about Friday October 25, 2024 alleging Havasu Water has improperly calculated the readiness to serve flat service fee in their past monthly bills with respect to the Order Clarifying Decision. Complainants allege Defendants told them they will shut off their water by or about Monday October 28, 2024 for failure to pay the full amount. Defendant Havasu Water is Ordered to Cease and Desist all collections or attempted collections for bills addressed in the instant matter, C.24-20-016, and keep the water on pending final adjudication.

**IT IS ORDERED that:**

1. Defendant Havasu Water is Ordered to Cease and Desist all collections or attempted collections for bills addressed in the instant matter, C. 24-10-016, and keep the water on pending final adjudication.

2. Case C. 24-10-016 remains open.

Dated October 30, 2024, at San Francisco, California.

/s/ LENA AFARY

Lena Afary  
Administrative Law Judge