



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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|---|---|---------------------------|
| Fred Coleman, Steven Wallace, Larry L. Vaughn and Ruth Dargitz, |) | CASE NO. C-1203017 |
| |) | |
| Complainants, |) | |
| |) | |
| vs. |) | |
| |) | |
| Odd Fellows Sierra Recreation Association, |) | |
| |) | |
| Defendant |) | |
| |) | |
| |) | |
| |) | |

I. STATUS REPORT OF COMPLAINANTS

1. On November 8, 2012 the Local Agency Formation Commission (LAFCO) issued a letter to Defendant stating “After reviewing the application materials submitted for the project, the Tuolumne County Local Agency Formation Commission (LAFCO) has determined that your application is incomplete or requires additional information.” The letter continues with a request for clarification, information, and concerns about seven items. As of January 9, 2013 at approximately 09:00 AM Defendant had not responded to LAFCO’s request.


1 2. Per the agreement during the conference call on November 30, 2012 some lot
2 owners have paid their water bill based on the quarterly charge minus what
3 they had previously paid for water. The bill was paid up through the first two
4 quarters of the fiscal year, November, 2012. The next payment will be made
5 at the end of February, 2013 and the final payment will be made at the end of
6 May, 2013. This payment schedule is consistent with the established method
7 for the payment of utility bills. Utilities are paid for following their use, not
8 before they are used.

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10 3. Based on the December 20, 2012 filing by Complainants, it is obvious that
11 Defendant has inflated their water charges in order to convince LAFCO that
12 there is adequate funding to finance the proposed Community Service District
13 (CSD). However, if the CSD is formed there will be serious problems of
14 finance since, as a governmental agency, the proposed CSD will be bound by
15 the terms of Proposition 218 and Proposition 26. Both of these propositions
16 require much more accountability and scrutiny concerning taxation,
17 assessments, and spending than what Defendant has been required to follow
18 during the past twenty- five years. Also, water charges, based on recent court
19 decisions per Proposition 218, fall under the initiative process. Lot owners
20 can use the initiative process to reduce water charges. It is also illegal under
21 Proposition 218 to divert income from water to pay other costs incurred by the
22 CSD. This has been a practice of Defendant for at least twenty-five years,
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24 4. Complainants would like access to all documents used by Defendant to
25 generate exhibits “A”, “B”, and “C” contained in their December 7, 2012
filing.

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DATED: January 11, 2013

Respectfully Submitted,

By: 
Fred Coleman