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

4	Charles P. Varvayanis,	)	Case 16-10-005
5	Complainant,	)	(Filed October 6, 2016)
6	vs.	)	
7	Odd Fellows Sierra Recreation Association,	)	
8	Defendant.	)	

**VERIFIED COMPLAINANT'S NEW EVIDENCE (CAME INTO EXISTANCE ON  
JANUARY 26, 2017)**

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**January 28, 2017**

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

7 Charles P. Varvayanis, ) Case 16-10-005  
) (Filed October 6, 2016)  
8 Complainant, )  
) Related Modification Decision 16-08-006  
9 vs. ) (Issued August 19, 2016)  
)  
10 Odd Fellows Sierra Recreation Association, ) Related Original Decision 16-01-047  
) (Issued January 29, 2016)  
11 Defendant. )  
) Related Case 12-03-017  
) (Filed March 14, 2012)  
12 )  
13 ) **VERIFIED COMPLAINANT'S NEW**  
) **EVIDENCE (CAME INTO EXISTANCE**  
14 ) **ON JANUARY 26, 2017)**

15 **NEW EVIDENCE (CAME INTO EXISTANCE ON JANUARY 26, 2017)**

16 Pursuant to the Scoping Memo and Ruling of Assigned Commissioner Michael Picker  
17 and Administrative Law Judge Eric Wildgrube dated December 22, 2016 Complaint (the  
18 “Complaint”) of Complainant Charles Paul Varvayanis (hereafter “Complainant”), filed his  
19 Opposition to the Motion to Dismiss Defendant’s Odd Fellows Sierra Recreation Association  
20 (hereafter “Odd Fellows”), Motion to Dismiss the Verified Complaint on January 20, 2017.

21 Pursuant to the E-mail Ruling of Administrative Law Judge Eric Wildgrube dated  
22 January 12, 2012 Complainant Charles Paul Varvayanis (hereafter “Complainant”), filed his  
23 Response to January 12, 2017 Ruling on January 25, 2016.  
24  
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1 New pertinent evidence came into existence on January 26, 2017 in support of  
2 Opposition to the Motion to Dismiss and relative to the Response to January 12, 2017 Ruling as  
3 follows:

### 4 5 **I. BACKGROUND**

6 On January 26, 2017 the California Public Utilities Commission, Water Division  
7 (hereafter “DWA” or “Water Division”) issued its rejection of Odd Fellows and Water  
8 Company's (collectively referred to as Utility) Advice Letter (AL) Number 2, filed on December  
9 13, 2016 (Exhibit CV-26). The first paragraph on Page 1 states:

10 *“This is to inform you that the Water Division is rejecting, without prejudice, Odd*  
11 *Fellows and Water Company's (collectively referred to as Utility) Advice Letter*  
12 *(AL) Number 2, filed on December 13, 2016. If the Utility wishes to request that*  
13 *Odd Fellows' name be removed as a regulated utility, it must file a new Tier 2*  
14 *Advice Letter after completing the transfer assets including land and easements*  
15 *for unfettered access to those assets as directed by Decision (D.) 16-01-047,*  
16 *Order No. 1.”*

17 Underlining added for emphasis.

18 The last paragraph on Page 5, “Recommendations” states:

19 *“WD recommends that AL Number 2 should be rejected without prejudice*  
20 *because Odd Fellows has not complied with the requirements of transferring all*  
21 *assets, including legal access, that are used for provisioning of water services at*  
22 *no cost to Water Company customers in accordance with D. 16-0-047, Order*  
23 *Number 1. After the Utility has complied with those requirements, it can file a Tier*  
24 *2 AL to request the removal of Odd Fellows' name as a regulated utility in the*  
25 *Conditional CPCN issued to the Water Company.”*

26 Underlining added for emphasis.

### 27 **II. REQUEST**

28 Complainant CHARLES P. VARVAYANIS respectfully requests the Advice Letter  
29 rejection letter be added as Additional documentary evidence as follows:


1 CV-26. Water Division Re: Advice Letter 2: Transfer of Water Service related  
2 assets by Odd Fellows Sierra Recreation Association (Odd Fellows) to Sierra Park Water  
3 Company (Water Company).  
4

5 **III. CONCLUSION**

6 Based on the foregoing, Complainant CHARLES P. VARVAYANIS respectfully  
7 requests CV-26 and the information in section I. BACKGROUND above to be added to the  
8 consideration of Opposition to the Motion to Dismiss Odd Fellows, Motion to Dismiss the  
9 Verified Complaint filed and served on January 20, 2017 and CV-26 be added to Complainant's  
10 Response to January 12, 2017 Ruling filed and served on January 25, 2016.  
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12  
13 DATED: January 28, 2017

Respectfully submitted,

14 By:   
15 Charles P. Varvayanis  
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**VERIFICATION**

I am the Complainant Charles P. Varvayanis and I am authorized to make this verification on my behalf. The statements in the foregoing are true of my own knowledge, except as to the matters which are therein stated on information and believe, and as to those matters I believe them to be true.

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

Executed on January 28, 2017, at Long Barn, California.

By: *Charles P. Varvayanis*  
Charles P. Varvayanis