



From: [Timothy Trujillo](#)
To: "Kumra, Ravi"
Cc: [Rosie Wallis](#); charles@varvayanis.com; Eric.Wildgrube@cpuc.ca.gov
Subject: RE: case 16-10-005: Payments made by complainants
Date: Thursday, January 5, 2017 6:23:46 PM
Attachments: [Odd Fellows Exhibits 1-5 to Kumra Email re Varv Payments-Credits \(1-5-17\).pdf](#)

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1-27-17
04:59 PM

Mr. Kumra,

Thank you for the extension to respond to your December 20, 2016 email to January 6, 2017.

For background in understanding the attached documents only, Mr. Varvayanis had four lots according to Odd Fellows' records (namely #09.006, #09.007A, #09-014 and #24.041) as of May 31, 2012. It is worthwhile to note that while Mr. Varvayanis had previously legally merged three of his lots (#09.006, #09.007A, #09-014), Odd Fellows did not recognize such merger for the purpose of billing for water and other services (such other services being described below).

FY 2011

Odd Fellows did not bill Mr. Varvayanis for any amounts for FY2011 nor did Mr. Varvayanis pay any amounts to Odd Fellows for FY2011. Instead, Odd Fellows Sierra Homeowners Association, an entity that Mr. Varvayanis was a member of the board of directors of, collected such amounts for FY2011 directly from the lot owners. You may wish to review the record of C.12-13-016 for further information.

FY 2012

1. Amounts assessed from Mr. Charles Varvayanis. Provide allocations for Water and Other services, if available.

On June 6, 2012, Mr. Varvayanis was billed \$1,024 for each of his four lots for FY2012 for water AND for (1)maintenance and repair of the streets and roads within the subdivision (the "Park Roads"), including without limitation, filling ruts and holes, repairing cracks, clearing the adjacent drainage ditches/culvert of debris, repainting lines and resealing and overlaying certain surfaces of the Park Roads, keeping the Park Roads accessible during times of inclement weather; (2) garbage disposal; (3)use of Park access gate; (4) use of lake, recreation hall, picnic area, baseball field, playground, and other similar types of areas within the subdivision and maintenance and repair of such improvements; ; (5) pine needle disposal; (6) services of an onsite caretaker to assist in providing the aforementioned service; (7) and certain other services. Odd Fellows did not initially separate their invoices for water and other the services referenced above. Mr. Varvayanis' June 6, 2012 invoices for each of his four lots are attached hereto as **Exhibit "1"**.

On November 30, 2012 during the initial prehearing conference call with ALJ Minkin in C12.03.017, Odd Fellows stated that the bill for water service only was approximately \$540 and agreed to separately invoice for water. The foregoing was memorialized by ALJ Minkin in her "Administrative Law Judge's Ruling Memorializing Procedures Agreed to By Parties" filed on December 5, 2012 in C12.03.017. See, "Administrative Law Judge's Ruling Memorializing Procedures Agreed to By Parties"

filed on November 30, 2012, in C-12.03.017, p. 2-3.

On December 7, 2012, Odd Fellows filed a "Report of the Odd Fellows Sierra Recreation Association" in C12.03.017 stating that the bill for water was \$571.60 for FY2012. *See, "Report of the Odd Fellows Sierra Recreation Association" filed on December 7, 2012, in C-12.03.017, p. 2-3.*

On December 11, 2012, Odd Fellows credited Mr. Varvayanis \$571.60 on each of the original invoices attached hereto as Exhibit "1" (thereby reducing the balance due for such original invoices to \$452.40 (\$1,024-\$571.60)). Copies of such credit memos are attached hereto as **Exhibit "2"**. The next day, December 12, 2012, Odd Fellows invoiced Mr. Varvayanis \$571.60 for water for each of his four lots. Copies of such invoices are attached hereto as **Exhibit "3"**.

During FY2012, Odd Fellows' board of directors voted to recognize merged lots as one lot for billing purposes retroactively for FY2012 and thus recognized Mr. Varvayanis three separate lots that had been previously legally merged as noted above (#09.006, #09.007A, #09-014) as one for billing purposes (under lot # 09-007A). Odd Fellows therefore credited Mr. Varvayanis \$1,024 for Odd Fellows' June 6, 2012 invoices of \$1,024 to Mr. Varvayanis for lot # 09.014 and #09.006 (meaning that Mr. Varvayanis owed \$571.60 for water for lot #24.041 and lot #09.007A and \$452.40 for other services for lot #24.041 and lot #09.007A).

2. Amounts Received from Mr. Charles Varvayanis. Provide allocations for Water and Other services, if available.

On March 14, 2013, Mr. Varvayanis paid \$571.60 for water for lot #24.041. On March 19, 2013, Mr. Varvayanis paid \$571.60 for water for lot #09.007A. Copies of such checks are attached hereto as **Exhibit "4"**.

On April 4, 2013, Mr. Varvayanis paid \$452.40 for the other services provided by Odd Fellows as described above (other than water) for lot #09.007A. On April 5, 2013, Mr. Varvayanis paid \$452.40 for the other services provided by Odd Fellows as described above (other than water) for lot #24.041. Copies of such checks are attached hereto as **Exhibit "5"**.

3. Amounts refunded to Mr. Charles Varvayanis. Provide allocations for Water and Other services, if available.

Other than the credits referenced above, no amounts were "refunded" to Mr. Varvayanis for FY2012.

Hopefully the above has fully addressed your inquiries.

Odd Fellows has directed this email to you as you made the initial inquiry as set forth below. If the CPUC desires a formal filing, please let me know. Otherwise we will assume this is acceptable.

Tim Trujillo

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From: Kumra, Ravi [<mailto:ravi.kumra@cpuc.ca.gov>]
Sent: Tuesday, December 27, 2016 9:40 AM
To: 'Timothy Trujillo'; rosieanddel@gmail.com
Subject: RE: case 16-10-005: Payments made by complainants

I had approved Mr. Ordwein's request to extend the date for furnishing the information to January 6. But, it will be preferable to receive the requested information by December 29th. Thank you.

Ravi Kumra, P. E.

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From: Timothy Trujillo [<mailto:tim@dtalawyers.com>]
Sent: Tuesday, December 27, 2016 9:29 AM
To: Kumra, Ravi; rosieanddel@gmail.com
Subject: RE: case 16-10-005: Payments made by complainants

Mr. Kumra,

I have just returned to my office today and Mr. Wallis is on vacation this week. I will have to contact Odd Fellows' accountant to get this information. However, we should be able to get the documents you requested by **December 29, 2016** if that is acceptable. Please let me know if we may have until December 29, 2016 to respond. Thank you and Happy Holidays.

Tim

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From: Kumra, Ravi [<mailto:ravi.kumra@cpuc.ca.gov>]
Sent: Tuesday, December 20, 2016 2:17 PM
To: rosieanddel@gmail.com; 'Timothy Trujillo' (tim@dtalawyers.com)
Subject: case 16-10-005: Payments made by complainants

Please furnish the following information from records maintained by or on behalf of Odd Fellows Sierra Recreation Association (OFSRA) for Water and other services for Fiscal Years 2011 and 2012. A response by December 27, 2016 would be appreciated:

1. Amounts assessed from Mr. Charles Varvayanis. Provide allocations for Water and Other services, if available.
2. Amounts Received from Mr. Charles Varvayanis. Provide allocations for Water and Other services, if available.
3. Amounts refunded to Mr. Charles Varvayanis. Provide allocations for Water and Other services, if available.

Thank you.

Ravi Kumra, P. E.

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