



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

**FILED**  
4-18-17  
08:00 AM

**ROBERT BETTENCOURT, JR.,**

Complainant

vs.

**SIERRA PARK WATER COMPANY  
(U440W),**

Defendant

(ECP)

**Case No. C.17-03-014**

(Filed March 29, 2017)

**ELEVEN (11) ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 1 THROUGH EXHIBIT 6**

**ROBERT BETTENCOURT, JR.**

**25300 Deborah Drive**

**Longbarn CA 95335**

**T-209-206-6431**

**Email: [RobbieBettencourt1969@yahoo.com](mailto:RobbieBettencourt1969@yahoo.com)**

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 1 of 11**

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVE  
SAN FRANCISCO, CA 94102



November 15, 2016

Robert Bettencourt  
Po Box 313  
Long Barn CA 95335

**Subject: Commission File No:403437 for Complaint with Sierra Park Water Company**

Dear Mr. Bettencourt:

The Consumer Affairs Branch (CAB) of the California Public Utilities Commission has completed its review of your complaint against Sierra Park Water Company (SPWC). As part of the review, CAB considered the information that you provided, the information that Sierra Park

In your complaint, you are disputing charges for Lot. 14.094 stating that there was no service connection involved and that you had not applied for water service for this particular Lot number. You are requesting that all billing charges for Lot 14.094 be removed as you live in Lot 14.093, and charges for Lot 14.094 are not justified.

Decision and Ordering Paragraph (D. 016-01-047, Ordering Paragraph No. 6a) defines the service area, orders refunds, property transfer/affiliate transactions, and sets the rates for SPWC. SPWC states that as an existing customer, you do not have to request service for Lot #s 14.093 and 14.094. Although you state there is no service connection, the utility reports they have a connection to Lot # 14.094 and it is not necessary for the customer to furnish and lay the necessary piping and valve to make the service connection.

SPWC has a service-area map in compliance with D. 016-01-047, and as such, all the properties that were in the Service Area were defined. As a result, you did not have to apply for service for Lot # 14.094 as it was in the Service Area. The utility's records show that you did not apply for water service for Lot # 14.093; however, you have been receiving service at that location.

Rule 4 pertains to contracts and you indicated that you did not enter a contract. Rule 4 states "a contract, as a condition precedent to receiving service from the utility, will be required only under any of the following circumstances." SPWC states that none of the described circumstances was applicable to you, so no contract was required. You have requested to discontinue service for Lot 14.094; however, D. 016-01-047 has set the rates based on the number of properties in the defined Service Area. SPWC has advised that you have the option of merging Lot 14.094 with Lot 14.093. With the merger, service can then be discontinued for Lot 14.094.

Rule 16.1, Service Connections, Meters, and Customer's Facilities concerns the utility's responsibility to provide connection (a curb top in your case), which determines the point of delivery to the customer. SPWC states they have provided service to the curb stop for Lot 14.094. SPWC reports that water service was disconnected for Lot 14.094 due to non-payment. Per Rule 11.B.1.e, Discontinuance and Restoration of Service, it states that if service is discontinued on other property within the service area for non-payment, service can be discontinued for other property in the service area. SPWC reports they received a doctor's note from you stating that you are permanently disabled. As a result, service at Lot 14.093 will not be in jeopardy of a disconnection; however, you are required to continue making payment for this location.

Based on the review of this information, CAB does not find SPWC in violation of the rules or regulations of the

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**EXHIBIT 2 of 11**

**Rule No. 4 – Contracts**

(N)

A contract, as a condition precedent to receiving service from the utility, will be required only under any of the following circumstances:

1. Where required by provisions in a filed rate schedule.
2. When a main extension to be made under the provision of Rule No. 15 requires an advance for construction.
3. For temporary service supplied under the provisions of Rule No. 13.
4. For standby service, except where furnished under a filed rate schedule not requiring a contract.
5. For any service to be furnished at rates or under conditions other than the rates and conditions contained in these tariff schedules, such contract to become effective only after such authorization as may be required by the Public Utilities Commission has first been obtained.

(N)

*Issued By*

Advice Letter # 1

Kirk M. Knudsen

Date Filed April 4, 2016

Decision # 16-01-047

Name

Effective April 4, 2016

President

Resolution # \_\_\_\_\_

Title

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**EXHIBIT 3 of 11**

**Rule No. 16 – Service Connections, Meters, and Customer’s Facilities**

(N)

**A. General**

**1. Utility’s Responsibility**

a. In urban areas with dedicated front streets, rear service roads, or public utility easements the utility will furnish and install the service pipe, curb stop, meter, and meter box at its own expense for the purpose of connecting its distribution system to the customer’s piping, except for temporary services and as otherwise provided in Rule 15, Main Extensions. The service connection, curb stop, meter, and meter box will be installed at a convenient place between the property line and the curb, or inside the customer’s property line where necessary.

In areas which do not have dedicated front streets, rear service roads, or public utility easements, the utility will furnish and install the service pipe, curb stop, meter, and meter box as above provided but at a convenient point on or near the customer’s property except for service beyond the service area.

b. The service connection will determine the point of delivery of water service to the customer.

**2. Customer’s Responsibility**

**➤ Condition Precedent to Receiving Service**

The customer as a condition precedent to receiving service shall:

- (1) Furnish and lay the necessary piping to make the connection from the service connection to the place of consumption and shall keep such piping in good repair in accordance with such reasonable requirements of the utility as may be incorporated in its rules herein.
- (2) Provide a main valve on the piping between the service connection and the point of customer use.
- (3) Where service is rendered at or near the service area boundary for use beyond the service area, install, operate, and maintain the facilities necessary to provide service.

(N)

(continued)

Issued By

Kirk M. Knudsen

Name

President

Title

Advice Letter # 1

Decision # 16-01-047

Date Filed \_\_\_\_\_

Effective \_\_\_\_\_

Resolution # \_\_\_\_\_

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 4 of 11**



## Steve Wallace

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**From:** Bill Ordwein [bill.ordwein@yahoo.com]  
**Sent:** Tuesday, May 31, 2016 3:35 PM  
**To:** Steve Wallace; 'Inc. Sierra Park Water Company'; 'Kirk Knudsen'; phil.barthman@gmail.com; 1212panhead@prodigy.net; 'Lael Potter'  
**Cc:** 'Ravi Kumra'; 'Water Division'; robbiebettencourt1969@yahoo.com  
**Subject:** Re: Lot 14.094 (log #23)

Mr. Bettencourt,

As an existing customer, you do not have to request service for your lots # 14.093 and 14.094.

As stated earlier, the CPUC has established rates for improved and unimproved lots. As such, both of your lots are subject to the rates set by the CPUC. You can find Tariff Rule 10 on Sierra Park Water Companies website (sierraparkwater.com) if you wish to dispute the bill otherwise the bill plus late fees, credit deposit and reconnect fee need to be paid.

Bill Ordwein, COO  
Sierra Park Water Company  
(209) 533-7998

**From:** Steve Wallace <steve.paul.wallace@gmail.com>  
**To:** 'Bill Ordwein' <bill.ordwein@yahoo.com>; 'Inc. Sierra Park Water Company' <message@sierraparkwater.com>; 'Kirk Knudsen' <Kirk.knudsen@creationtech.com>; phil.barthman@gmail.com; 1212panhead@prodigy.net; 'Lael Potter' <lael@chassoc.biz>; coleen@chassoc.biz  
**Cc:** 'Ravi Kumra' <ravi.kumra@cpuc.ca.gov>; 'Water Division' <Water.Division@cpuc.ca.gov>; robbiebettencourt1969@yahoo.com; Steve.Paul.Wallace@gmail.com  
**Sent:** Wednesday, May 25, 2016 8:28 PM  
**Subject:** RE: Lot 14.094 (log #23)

Bill,

You have said "All the unimproved lots, including yours, are part of the Service Area." Great, I am in the service area. This is not in dispute.

Next you say "The CPUC set the Tariff Rates based on service to all lots, including the unimproved lots." So, are you saying Sierra Park Water Company supplied defective information to the CPUC while they were generating rates, or did Sierra Park Water Company simply fail to supply information to the CPUC causing the CPUC create a best effort result? Either way, that's your problem and not mine. The portion of your statement above "based on service" says it all: I do not have service because I have not met the prerequisites for service: I have not applied for or requested water service (Tariff Rule No. 3), not entered in to a contract for service (Tariff Rule No. 4) for Lot 14.094 and I do not meet the Condition Precedent to Receiving Service (Tariff Rule No. 16) to Lot 14.094.

After that you say "The Sierra Park Water Company's CPUC approved Tariffs provide for unimproved lots to be merged with improved lots." Great, the Tariffs provide for unimproved lots to be merged with improved lots. That is not in dispute and is irrelevant in this discussion. The Tariff documents published on your website

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 5 of 11**

## Steve Wallace

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**From:** Bill Ordwein [bill.ordwein@yahoo.com]  
**Sent:** Thursday, June 09, 2016 5:18 PM  
**To:** Robbie Bettencourt; Ravi Kumra; Cpuc; Steve Wallace  
**Cc:** water.division@cpuc.ca.gov; Kirk Knudsen; Heidi Ordwein; phil.barthman@gmail.com; James Lenhardt  
**Subject:** Re: Vacant lot water charges with no connections  
**Attachments:** IMG\_0899.JPG

Mr. Bettencourt,

As I explained in my response to you on May 24, the CPUC included all lots within the Service Area, both improved and unimproved, when setting the rates. No one within the Service Area had to apply for service as everyone was on ongoing customer. You can review all Sierra Park Water Company Tariffs at [sierraparkwater.com](http://sierraparkwater.com). Schedule #2 RA specifically states the rates are for single family residential unit **and unimproved lots**. In order to avoid future charges you may merge your unimproved lot with your improved lot. The Sierra Park Water Company's CPUC approved Tariffs provide for unimproved lots to be merged with improved lots. Until this is done, you are responsible for paying the water service bill.

In lieu of paying the disputed bill you may deposit, with the California Public Utilities Commission at its office in 505 Van Ness Avenue, San Francisco, California 94102, the amount claimed by the utility to be due along with your dispute.

Bill Ordwein, COO  
Sierra Park Water Company.

**From:** Robbie Bettencourt <[robbiebettencourt1969@yahoo.com](mailto:robbiebettencourt1969@yahoo.com)>  
**To:** Ravi Kumra <[Ravi.kumra@cpuc.ca.gov](mailto:Ravi.kumra@cpuc.ca.gov)>; Cpuc <[public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)>; Steve Wallace <[steve.paul.wallace@gmail.com](mailto:steve.paul.wallace@gmail.com)>; Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)>  
**Sent:** Thursday, June 9, 2016 1:05 PM  
**Subject:** Vacant lot water charges with no connections

Sent from my iPhone. Mr Ordwien. Hers picture s. Of my vacant lot and the inside of my water box before u locked it off. There is an 6 inch nipple with a cap on it. Now the valve has an lock on it. There is no service connection there. Never was My lot is 14.094 by the way .i just received my bill for\$810.00 for that lot that I didn't apply for water . \$655.00. Yearly water rate. \$110.00. Re-establish rate \$25.00 reconnect fee . Bill. With no connection there to hook up to and what am I paying u too rehook up to . Better yet explain how u disconnected it I have pictures. It looks the same. Just a lock on plugged off valve . Since when do consumers pay for somethings were not receiving

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 6 of 11**

## Steve Wallace

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**From:** Robbie Bettencourt [robbiebettencourt1969@yahoo.com]  
**Sent:** Thursday, June 09, 2016 11:58 AM  
**To:** Ravi Kumra; Steve Wallace  
**Subject:** Unimproved lot water charges

Sent from my iPhone. Ravi. In my emails. To u from. Mr Wallace. U don't answer all of our questions. Cause u can't. Again. If u would have came in here and did an inspection. Before putting information together for commission to vote for maybe things would have been done right . In cpuc definitions which have been emailed to u which u apparently don't understand There are no connections on my vacant lot. A reasonable standby fee would have been ok and fair. But apparently u don't care about fair and the consumer . It's sad that u made mistakes during this procedure and u choose to stand by it cause u won't admit that maybe your wrong. I feel confident. With what I emailed u and u not answering all our questions that u know the truth. Have a nice day