



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 7 THROUGH EXHIBIT 11**

**ROBERT BETTENCOURT, JR.**

**25300 Deborah Drive**

**Longbarn CA 95335**

**T-209-206-6431**

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

**BEFORE THE PUBLIC UTILITIES COMMISSION  
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ROBERT BETTENCOURT, JR.,

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vs.

SIERRA PARK WATER COMPANY (U440W),

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**(ECP)**

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 7 of 11**

**Steve Wallace**

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**From:** Robbie Bettencourt [robbiebettencourt1969@yahoo.com]  
**Sent:** Wednesday, September 14, 2016 7:11 PM  
**To:** Steve Wallace  
**Subject:** Fwd: Tariff rule 10

Sent from my iPhone

Begin forwarded message:

**From:** Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)>  
**Date:** September 13, 2016 at 9:13:22 PM PDT  
**To:** Robbie Bettencourt <[robbiebettencourt1969@yahoo.com](mailto:robbiebettencourt1969@yahoo.com)>, Ravi Kumra <[Ravi.kumra@cpuc.ca.gov](mailto:Ravi.kumra@cpuc.ca.gov)>, "senator.berrvhill@senate.ca.gov" <[senator.berrvhill@senate.ca.gov](mailto:senator.berrvhill@senate.ca.gov)>  
**Cc:** Kirk Knudsen <[kirk.knudsen@creationtech.com](mailto:kirk.knudsen@creationtech.com)>, Dan Carroll <[dcarroll@downevbrand.com](mailto:dcarroll@downevbrand.com)>  
**Subject: Re: Tariff rule 10**  
**Reply-To:** Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)>

Mr. Bettencourt,

We have always kept a copy of Sierra Park Water Company Tariffs in our office. You can make an appointment to review them by calling our business number (209-533 7998). A full copy is also available on our web site ([sierraparkwater.com](http://sierraparkwater.com) under Tariffs). We must also follow the Orders in CPUC Decision 16-01-047 as modified.

Your phone number is blocked on my home phone because I don't want either my wife or myself to be subjected to your abusive language and manners. This is my personal phone and I have the right to block whomever I wish. The SP Water Company does not pay for my phone or internet services.

The only times I have not responded is when your questions are just repeats of the same questions that I have already answered over and over. You must either pay your bill or file a dispute with the CPUC using the process I have described and previously sent you. Continuing to make the same demands and accusations over and over is just a form of harassment. I do not believe I need to respond to you again unless you present something new.

Mr. Kumra and the CPUC have remained neutral by only answering your and my questions.

William Ordwein, COO  
 Sierra Park Water Company.

**From:** Robbie Bettencourt <[robbiebettencourt1969@yahoo.com](mailto:robbiebettencourt1969@yahoo.com)>  
**To:** Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)>; Ravi Kumra <[Ravi.kumra@cpuc.ca.gov](mailto:Ravi.kumra@cpuc.ca.gov)>; [senator.berrvhill@senate.ca.gov](mailto:senator.berrvhill@senate.ca.gov)

**Sent:** Tuesday, September 13, 2016 3:57 PM  
**Subject:** Tariff rule 10

A

Sent from my iPhone. Bill did Ravi. Have u put the tariff rule. Book in your so called office like he said he was going to have u do so customers like me can look at the tariffs cause I can't afford Internet. Let me know when u have it so we can go over some other tariffs. That u and Ravi kumra don't recognize. Just called Cpuc public advisors office and they told me to get ahold of the water company. Which I've done in the past and won't call me back. Just like u having my number blocked on your phone. Bill do you think it's professional to not respond back to your customers phone. Calls. Your the big boss of this water company and u play games like not answering. Calls. Very professional. But with Ravi kumra. Behind u with the state I guess u can Why won't you and Ravi kumra honor all the tariff rules. Or answer calls. Sooner or later u will

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 8 of 11**

## Steve Wallace

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**From:** Steve Wallace [steve.paul.wallace@gmail.com]  
**Sent:** Wednesday, May 25, 2016 8:28 PM  
**To:** 'Bill Ordwein'; 'Inc. Sierra Park Water Company'; 'Kirk Knudsen'; phil.barthman@gmail.com; 1212panhead@prodigy.net; 'Lael Potter'; coleen@chassoc.biz  
**Cc:** 'Ravi Kumra'; 'Water Division'; robbiebettenecourt1969@yahoo.com; Steve.Paul.Wallace@gmail.com  
**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 clearly indicate the Tariff is not approved. Why have you said they have been approved? If they have been approved, provide proof of that to me, otherwise I will consider the Tariff NOT APPROVED.

Finally you say "Until this is done, you are responsible for paying the water service bill." Merger has nothing to do with my claim. According to your Tariff rules, I cannot have service until I apply for or request water service (Tariff Rule No. 3) or enter in to a contract for service (Tariff Rule No. 4) and meet the Condition Precedent to Receiving Service (Tariff Rule No. 16). I have not met any of these conditions. Since I do not have service and according to your rules, cannot have service, no service charges can be generated or billed. Since it seems you have created an account for Lot 14.094 and have billed that account for non-existent services, it is your responsibility to correct that bill/statement to a zero balance. Please provide me a statement indicating a zero balance for the account associated with Lot 14.094.

You have not acknowledged my notice and demand to Sierra Park Water Company to discontinue the disputed service to Lot 14.094 effective May 26, 2016. Tariff Rule No. 11 makes this law and you must abide. Tariff Rule No. 11 also covers charges "Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice." I will reiterate my demand: Discontinue the disputed service to Lot 14.094 effective May 26, 2016 and stop generating charges. This demand does not preclude my previous demand to discontinue that water service and remove any and all service connections to Lot 14.094 retroactive the date of purchase and remove any and all charges since that date.

You have not addressed my demand that Lot 14.094 be granted the same status as Lot 031-052-16. Failing to do this would be discriminatory.

Summary: Discontinue disputed service to Lot 14.094, grant Lot 14.094 the same status as Lot 031-052-16, provide me a statement indicating a zero balance for the account associated with Lot 14.094 and provide proof the Tariff has been approved.

Please reply to this communication, directly addressing each of the matters above.

B

Robbie Bettencourt

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**From:** Bill Ordwein [mailto:bill.ordwein@yahoo.com]  
**Sent:** Wednesday, May 25, 2016 4:28 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,

All the unimproved lots, including yours, are part of the Service Area. The CPUC set the Tariff Rates based on service to all lots, including the unimproved lots. 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.

Bill Ordwein, COO  
Sierra Park Water Company.

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**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>  
**Cc:** 'Ravi Kumra' <ravi.kumra@cpuc.ca.gov>; 'Water Division' <Water.Division@cpuc.ca.gov>; robbiebettencourt1969@yahoo.com  
**Sent:** Wednesday, May 25, 2016 10:23 AM  
**Subject:** RE: Lot 14.094 (log #23)

Bill,

The Sierra Park Water Company's Rate Tariffs are for all lots described by the Service Area Map with water service and the associated Service Connections. I have not applied for or requested water service (Tariff Rule No. 3) or entered in to a contract for service (Tariff Rule No. 4) for Lot 14.094. Most importantly, **I do not meet the Condition Precedent to Receiving Service (Tariff Rule No. 16) to Lot 14.094.**

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

*A. General*

*2. Customer's Responsibility*

*a. **Condition Precedent to Receiving Service (I do not qualify for water 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.*

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

*A. General*

*1. Utility's Responsibility*

*b. **The service connection will determine the point of delivery of water service to the customer. (I do not have water service, therefore I do not have a Service Connection)***

2

Since I have not applied for or requested water service, not entered in to a contract for service and I do not meet the Condition Precedent to Receiving Service to Lot 14.094, I demand you disconnect that water service and remove any and all service connections to Lot 14.094 retroactive the date of purchase. You cannot charge discontinued service (Tariff Rule No. 11).

*Rule No. 11 – Discontinuance and Restoration of Service*

*A. Customer's Request for Discontinuance of Service*

*1. A customer may have service discontinued by giving not less than two days' advance notice thereof to the utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days' advance notice.*

Since this existence of the service is in dispute, discontinue the disputed service to Lot 14.094 effective May 26, 2016. This is my two days' advance notice to the utility. Once the dispute is settled, adjust the disputed service discontinued date retroactive the date of purchase.

Lot 031-052-16 was one of 365 Lots created by Subdivision Public Reports 1 & 2 of 1950 and 1959 respectively. Lot 031-052-16 currently exists as a Subdivision Lot similar the vast majority of Subdivision Lots in the Subdivision. Lot 031-052-16 is completely surrounded by and inside of the Sierra Park Water Company Service Area. Lot 031-052-16 sets a legal precedence where it is not charged a Per Service Connection Service Charge. For the purpose of this discussion, Lot 14.094 is similar to Lot 031-052-16 and therefore Lot 14.094 should not be not charged a Per Service Connection Service Charge. Failing to grant Lot 14.094 the same status as Lot 031-052-16 would be discriminatory and will cause a commission hearing to be requested and remedy under PUC Code Section 728.

Robbie Bettencourt

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**From:** Bill Ordwein [mailto:bill.ordwein@yahoo.com]  
**Sent:** Tuesday, May 24, 2016 2:45 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; Bill Ordwein  
**Subject:** Re: Lot 14.094 (log #23)

Mr Bettencourt,

The Sierra Park Water Company's Rate Tariffs are for all lots described by the Service Area Map. Rates are the same for improved and unimproved lots. You can merge your unimproved lot with your improved lot by showing proof of merge from the county recorder, paying your outstanding bill plus \$300 for merge processing fee.

Bill Ordwein, COO  
Sierra Park Water Company  
209-586-1618

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**From:** Steve Wallace <steve.paul.wallace@gmail.com>  
**To:** Inc. Sierra Park Water Company <message@sierraparkwater.com>; 'Bill Ordwein' <bill.ordwein@yahoo.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>; Steve.Paul.Wallace@gmail.com; robbiebettencourt1969@yahoo.com  
**Sent:** Monday, May 23, 2016 9:50 PM  
**Subject:** Lot 14.094



B

Sierra Park Water Company,

In April of 2015 I purchased Lot 14.094. I have not applied for or requested water service (Tariff Rule No. 3) or entered in to a contract for service (Tariff Rule No. 4) for Lot 14.094. Most importantly, I do not meet the Condition Precedent to Receiving Service (Tariff Rule No. 16) to Lot 14.094.

Since I have not applied for water service, do not have a contract for water service, and since I do not meet the Condition Precedent to Receiving Service, I do not have water service for Lot 14.094.

Since the service connection will determine the point of delivery of water service to the customer (Tariff Rule No. 16) and since Lot 14.094 does not have water service, Lot 14.094 does not have a service connection.

If for some reason you have established water service for Lot 14.094, I hereby demand you disconnect that water service and remove any and all service connections to Lot 14.094 retroactive the date of purchase and remove any and all charges since that date. Please send me a revised statement indicating a zero balance.

Robbie Bettencourt

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 9 of 11**

Steve Wallace

**From:** Robbie Bettencourt [robbiebettencourt1969@yahoo.com]  
**Sent:** Sunday, June 12, 2016 6:38 PM  
**To:** Bill Ordwein; Steve Wallace; Ravi.kumra@cpuc.ca.gov  
**Subject:** Re: Vacant lot water charges

I'm not responsible for the stupidity of the previous owner I asked for discontinuation of service and I demand u stop billing me on lot 14.094 you are knowingly breaking. Cpuc rules. But I understand it's hard for u too stop and follow rules after all these years I have two properties and I choose to pay for the one with a service connection defined under cpuc rules.

Sent from my iPhone

Sent from my iPhone

On Jun 12, 2016, at 5:26 PM, Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)> wrote:

Mr. Bettencourt,

I have attached a copy of my last response to you regarding this matter. You are responsible for the past due, current and future bills for all your properties within the Service Area. All lots within the Service Area are charged a flat annual rate that has been set by the CPUC whether the lots are improved or unimproved. You did not have to request service for your improved lot and in the same manner, you did not have to request service for your unimproved lot. Previous owners have paid for water service for this property. Nothing has changed with regards to this property except for a change of ownership. Sierra Park Water Company will take steps to collect past due payment on this property as we would for any other property with a past due balance in the Service Area. My previous response to you (see attached) described the process for disputed bills. You cannot just choose to pay for one property and not another. In that regard, I would like to direct your attention to Sierra Park Water Company Tariff Rule 11.B.1.f quoted below.

"A customer's residential service may be discontinued for nonpayment of a bill for residential service previously rendered him at any location served by the utility."

Bill Ordwein, COO  
Sierra Park Water Company

**From:** Robbie Bettencourt <[robbiebettencourt1969@yahoo.com](mailto:robbiebettencourt1969@yahoo.com)>  
**To:** Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)>; 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.wellace@gmail.com](mailto:steve.paul.wellace@gmail.com)>  
**Sent:** Sunday, June 12, 2016 10:16 AM  
**Subject:** Vacant lot water charges

Sent from my iPhone. Bill on May 23 2016. In an email to u I requested discontinuance of service on lot 14.094. Which I never applied for service in the first

place. On May 27 2016 u put a discontinuation of service notice in my water box and locked of your valve in box Thank u. On June 9 2016. I received a n annual bill for that that same lot for 2016-2017 For \$545.00. Why ? I asked AT&T. For discontinuation of service and they don't bill me anymore . U and Ravi need to follow cpuc rules and definitions yourselves or they mean nothing . No ones above the law .in the public utilities code (451). It says all charges demanded or received by any public utility, or by any two or more public utility's, for any product or commodity furnished or service rendered or to be rendered shall be just and reasonable .every unjust or unreasonable charge demanded or received for such product or commodity or service is unlawful. By the way a shouldn't be bullied or forced to merge lot 14 094 with lot 14.093 when there is no connection on. It 14.094. A few months ago in phone conversations u and Ravi. Both told me it didn't matter if I merged it or not. I'd still be charged This is not a joke to me and I'm not going away. Just building my case with emails. Thanx guys.

<Response to 25 Bettencourt 6-12-16.doc>

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**ADDITIONAL EXHIBITS TO COMPLAINT**

**EXHIBIT 10 of 11**

D

**Steve Wallace**

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**From:** Robbie Bettencourt [robbiebettencourt1969@yahoo.com]  
**Sent:** Wednesday, November 23, 2016 10:34 AM  
**To:** Bill Ordwein; Ravi Kumra; doretta.dea@cpuc.ca.gov; senator.berryhill@senate.ca.gov; steve.paul.wallace@gmail.com; charles@varvayanis.com  
**Subject:** Re: Informal complaint for my vacant lot that I paid \$1375.00 for water when no hook up

Sent from my iPhone

I might be on the service map. But I have no connection according to tariff rules. Again you have broke all the tariff rules in imformal complaint Formal complaint being worked on right now. And there will be picture s sent with it to the Cpuc showing no customer piping. If the decision over rides the tariff rules there not worth the paper they're written on I do not meet the criteria of the tariff rules even though I'm in the service area. Spwc. Vacant lot is in service area and u pay nothing either. Let the big boys look at this situation and see u change and break the rules. The Cpuc is suppose to protect the consumer but I have not seen this yet. I feel better from someone that I talked to that the formAl complaint should show the dishonesty and take care of this situation. We shall see will be done soon

On Nov 22, 2016, at 2:17 PM, Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)> wrote:

Doretta,

Mr. Bettencourt does not seem to understand that the Sierra Park Water Company has complied with the CPUC approved Tariffs and the CPUC commission's and court's rulings. Water service connection has been provided to his vacant lot in a curb stop box adjacent to his property.. The fact that he has chosen to not connect does not change the fact that water service connection has been provided. The CPUC defined the lots that are included in the service area. Mr. Bettencourt's vacant lot is included in the properties defined by the CPUC as being serviced by the Sierra Park Water Company and subject to the rates set by the CPUC. A copy of the Service Area Map showing all the lots included in the Service Area, including Mr. Bettencourt's vacant lot is attached. I have also attached a copy of Schedule 2RA 'Annual Residential Flat Rate Service'. That document clearly states the rates are for single family residential and **vacant** lots so I do not understand how Mr. Bettencourt could believe he doesn't owe for his vacant lot.

I hope these documents are helpful.

William Ordwein  
Chief Operations Officer  
Sierra Park Water Company

**From:** Robbie Bettencourt <[robbiebettencourt1969@yahoo.com](mailto:robbiebettencourt1969@yahoo.com)>  
**To:** [doretta.dea@cpuc.ca.gov](mailto:doretta.dea@cpuc.ca.gov); Bill Ordwein <[bill.ordwein@yahoo.com](mailto:bill.ordwein@yahoo.com)>; Ravi Kumra <[ravi.kumra@cpuc.ca.gov](mailto:ravi.kumra@cpuc.ca.gov)>; [senator.berryhill@senate.ca.gov](mailto:senator.berryhill@senate.ca.gov)  
**Sent:** Monday, November 14, 2016 7:03 AM  
**Subject:** Informal complaint for my vacant lot that I paid \$1375.00 for water when no hook up

Sent from my iPhone. Case 403437. Doretta after talking to u on the phone two weeks ago u told me that spwc. Did not want to budge on the water fees they charged on my vacant lot with no service \$1375.00. I told u that that should be the Cpuc s job to enforce the tariff rules that they are breaking U told me to file a formal complaint that will go way up to the commission judge. I told u basically that I wasted my time

D

sending to u then U said informal. Complaint had to be filed before formal. Please wrap up my case and send me formal complaint papers so I can file it so Cpuc commission judge can see that spwc had a chance with u to follow tariff rules and they chose not to. I'm not the only vacant lot in here being charge with no service according to tariff rule in rule book and the spwc. Needs to quit breaking rules and Cpuc. Needs to enforce the rules

<ServMap\_R1.pdf>

<Sched2RA-R1.pdf>

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**EXHIBIT 11 of 11**



