



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

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Fred Coleman, Steven Wallace, Larry L.
Vaughn, and Ruth Dargitz,

Complainants,

vs.

Odd Fellows Sierra Recreation
Association,

Defendant.

CASE NO. C-1203017

STATUS REPORT OF THE ODD FELLOWS SIERRA RECREATION ASSOCIATION

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August 29, 2012

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Pursuant to Administrative Law Judge Angela Minkin's July 11, 2012 direction to all parties, the Odd Fellows Sierra Recreation Association ("Recreation Association") files this report on the status of CPUC Proceeding C-1203017 (filed March 12, 2012).

Since Recreation Association's June 15, 2012 Compliance Filing, the following developments are relevant:

1. On July 13, 2012, judgment was entered in favor of the Recreation Association and against the Odd Fellows Sierra Homeowners' Association in the amount of \$213,770.00 plus attorneys fees and costs in Tuolumne County Superior Court, Case No. CV 57297.
2. Since the Recreation Association's June 15, 2012 Compliance Filing, the Recreation Association has continued to work with the County of Tuolumne to establish a Community Services District ("CSD"). When that CSD is formed, Recreation Association intends to transfer its water system to the CSD. After the transfer, the CSD alone will be responsible for providing water service to the lot owners of the subdivisions in Tuolumne County, California known as I.O.O.F. Odd Fellows Sierra Camp Subdivision No. 1 and I.O.O.F. Odd Fellows Sierra Camp Subdivision No. 2 (the "Park"). At great expense, Recreation Association just completed a survey of the entire

Park (a necessary prerequisite to the transfer of the water system and certain other assets to the CSD).

3. The Recreation Association has set a special meeting of its shareholders for September 23, 2012 to consider, among other things, the transfer of the water system to a CSD (another prerequisite to the transfer of the water system and certain other assets to the CSD).
4. Recreation Association has also sought and received information from legal counsel regarding forming a mutual water company and transferring the water system used to provide water to the lot owners of the Park to such mutual water company in the event that the transfer of the water system to the CSD is not feasible.
5. Recreation Association has also sought and received information from legal counsel regarding becoming regulated by this Commission and continuing to provide water to the lot owners of the Park in the event that the transfer of the water system to the CSD is not feasible.
6. On August 21, 2012, Complainants met with the Recreation Association to discuss a settlement of this matter. Unfortunately, no resolution was reached. Complainants did however indicate that they were opposed to having the water system transferred to a CSD but were not opposed to having the Tuolumne Utilities District (“TUD”) take over the water system. The Tuolumne Utilities District provides water for the vast majority of residential properties within Tuolumne County, California. Recreation Association thereafter contacted TUD to determine the feasibility of having TUD take over Recreation Association’s water system. As the Recreation Association and Complainants have just initiated such discussions with TUD, the Recreation Association expects to have more information to report by September 11, 2012. This is only another option that Recreation Association will be considering (in addition to those set forth above).
7. As a reminder, there are additional services that the Recreation Association provides to the lot owners of the Park, other than water (e.g., road maintenance, etc.). Recreation Association understands that such services are not within the purview of the Commission. However, they have to be considered by the Recreation Association (along with the provision of water) in determining the best option for all lot owners of the Park (not just

Complainants). Recreation Association is committed however to considering all feasible options.

8. Recreation Association files this statement individually, rather than jointly.

Recreation Association is prepared to move forward with a prehearing conference on September 11, 2012. However, given the recent developments as set forth above, Recreation Association respectfully requests that its Motion to Stay be granted as any finding by the PUC at this point (whether for or against the Recreation Association) could impede the progress made by the Recreation Association to date.

Respectfully submitted,

Dambacher, Trujillo, & Wright

August 29, 2012

By: /s/ Timothy T. Trujillo
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