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IDAHO PUBLIC  
UTILITIES COMMISSION

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Attorneys for Applicant Donald Sorrells

IDAHO PUBLIC UTILITIES COMMISSION

DONALD SORRELLS, an individual,

Applicant,

vs.

SUNNYSIDE PARK UTILITIES, INC., an  
Idaho Corporation,

Respondent.

Case No. GWR-U-22-03

DECLARATION OF DONALD D. SORRELLS  
IN SUPPORT OF FORMAL COMPLAINT

I, Donald D. Sorrells, having first been duly sworn under oath, declare and testify as follows:

1. I am at over eighteen (18) years of age and am competent to testify in this matter;
2. I am the named Applicant in this matter, and my testimony is based upon my personal knowledge unless otherwise specified;
3. I have reviewed the allegations made within the Answer provided by

Respondent, Sunnyside Park Utilities, Inc. (“SPU”), and the Reply Comments of the Commission Staff in this matter. I make this affidavit to provide information and documents to support the positions made within my Formal Complaint; to refute the allegations made within SPU’s answer; and to clarify matters addressed within the Reply Comments.

4. The water meter at issue in this matter was purchased by me. I purchased the water meter and paid for its installation from DDR Contractor, Inc., on July 29, 2021. Attached hereto as Exhibit A is a true and correct copy of the invoice from DDR Contractor, Inc., reflecting the sale and installation of the subject water meter.

5. For as long as I have been a customer of SPU, I have never received an invoice for water or sewer services that shows a water rate against a base unit of measurement. Specifically, all invoices I have received from SPU indicate a water rate of \$22.00, but do not indicate a base unit of measurement for quantity. I am without notice of what SPU alleges my water usage was for any given month, and I do not know the base rate for a set monthly use quantity. I have attached hereto as Exhibit B a true and correct copy of a standard water and sewer service invoice from SPU.

6. For as long as I have been a customer of SPU, I recall having been charged an “excess water charge” only four times.

7. The first time I was charged for alleged “excess water” was on October 31, 2021. I was charged \$2.48 for an alleged excess water usage at an unspecified rate of 0.67. The invoice did not indicate what the regular water rate was, nor what the

unit of measurement for quantity was. The invoice merely identified two individual meter readings – 10/01/21 at an unspecified 13500, and 11/01/21 at an unspecified 29200. A true and correct copy of the November 30, 2021 invoice is attached hereto as Exhibit C.

8. The second time I was charged for alleged “excess water” was on November 30, 2021. I was charged \$0.44 for an alleged excess water usage at an unspecified rate of 0.66. The invoice did not indicate what the regular water rate was, nor what the unit of measurement for quantity was. A true and correct copy of the November 30, 2021 invoice is attached hereto as Exhibit D.

9. The third time I was charged for alleged “excess water” was on March 31, 2022. I was charged \$8.29 for an alleged excess water usage at an unspecified rate of 0.67. Once again, the invoice did not indicate what the regular water rate was, nor what the unit of measurement for quantity was. A true and correct copy of the March 31, 2022 invoice is attached hereto as Exhibit E, with privileged attorney-client communications redacted.

10. The fourth time I was charged for alleged “excess water” was on April 30, 2022. I was charged \$9.44 for an alleged excess water usage at an unspecified rate of 0.67. Once again, the invoice did not indicate what the regular water rate was, nor what the unit of measurement for quantity was. A true and correct copy of the April 30, 2022 invoice is attached hereto as Exhibit F, with privileged attorney-client communications redacted.

11. All invoices received from SPU for water and sewer services have been

paid.

12. An invoice of \$653.49 was delivered to me on October 29, 2021, seeking payment for inspections and attorneys fees. Such charges were not pursuant to any agreement for water or sewer services. A true and correct copy of the October 29, 2021 Invoice is attached at Exhibit G.

13. On or about May 31, 2022, I received an invoice seeking \$7,024.24. This exorbitant amount included \$5,417.50 for an alleged one hundred and ninety-seven “water meter checks” without any explanation of when the alleged meter checks occurred, what the meter readings were, and the basis for charging meter checks. Additionally, the Invoice sought \$850.00 for 10 instances of non-descript “Account management” by Doyle Beck. There is not explanation for these charges and no water use agreement has been signed which allows for the assessment of such charges. A true and correct copy of the May 31, 2022 Invoice is included as Exhibit H.

14. SPU does not normally provide me written meter readings on my monthly invoices, nor have they provided me a description of total water use, the unit of measurement for such use for any given month, or a description of my monthly usage allotment. The only time I recall having received a written meter reading was the readings listed on the October 31, 2021 invoice in Exhibit C.

15. SPU’s allegation that I have restricted its access to my water meter is without basis. The water meter is accessible, readable, and capable of receiving maintenance and being shut off/turned on. Further, the alleged lock described in SPU’s Answer has been removed.

16. SPU's allegation that there is a leaking frost-free hydrant is without basis. The frost-free hydrant alleged in this matter was capped in or around March of 2022, and was subsequently repaired by DDR Contractor, Inc the same month.

17. All alleged toilet leaks have been fixed. To my knowledge, no additional leaks exist. Attached hereto as Exhibit I is a true and correct copy of the October 27, 2021 invoice from Finish Line Plumbing, Inc., for the repairs to the alleged leaking toilets.

I, Donald D. Sorrells, hereby declare in accordance with Idaho Code section 9-1406 that the foregoing statements are true and correct to the best of my knowledge.

Dated July 5, 2022.

/s/ Donald Sorrells

Donald D. Sorrells

Sunnyside Utilities Inc

P.O. Box 1768  
Idaho Falls, ID 83403-1768  
208-529-9891

# Invoice

Date	Invoice #
2/28/2022	3426

<b>Bill To</b>
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
	Block 4 Lot 4 Sunnyside Industrial and Professional Park		
	<i>Payed ch. # 60610 3-13-22</i>		
<b>Total</b>			<b>\$46.00</b>

Sunnyside Utilities Inc

P.O. Box 1768  
Idaho Falls, ID 83403-1768  
208-529-9891

# Invoice

Date	Invoice #
11/30/2021	3364

Bill To
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

*Paid  
12-18-21  
ch. # 50556*

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
0.66	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
	Excess Water Charge	0.67	0.44
	Block 4 Lot 4 Sunnyside Industrial and Professional Park		
<b>Total</b>			<b>\$46.44</b>

# Statement

Sunnyside Utilities Inc  
 P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

Date
5/31/2022

To:
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

Amount Due	Amount Enc.
\$7,024.24	

Date	Transaction	Amount	Balance
09/29/2021	Balance forward		0.00
09/30/2021	INV #3324. Due 09/30/2021. --- H2O \$22.00 --- SWR \$24.00 ---	46.00	46.00
10/14/2021	--- Block 4 Lot 4 Sunnyside Industrial and Professional Park PMT #60516.	-46.00	0.00
10/31/2021	INV #3342. Due 10/31/2021. --- H2O \$22.00 --- SWR \$24.00 --- H2O Excess, 3.7 @ \$0.67 = 2.48 --- Block 4 Lot 4 Sunnyside Industrial and Professional Park --- Service Call \$653.49	701.97	701.97
11/19/2021	PMT #60533.	-46.67	655.30
11/30/2021	INV #3364. Due 11/30/2021. --- H2O \$22.00 --- SWR \$24.00 --- H2O Excess, 0.66 @ \$0.67 = 0.44 --- Block 4 Lot 4 Sunnyside Industrial and Professional Park	46.44	701.74
12/31/2021	INV #3384. Due 12/31/2021. --- H2O \$22.00 --- SWR \$24.00 ---	46.00	747.74
01/07/2022	--- Block 4 Lot 4 Sunnyside Industrial and Professional Park PMT #60556.	-46.44	701.30
01/26/2022	PMT #60574.	-46.00	655.30
01/31/2022	INV #3405. Due 01/31/2022. --- H2O \$22.00 --- SWR \$24.00 ---	46.00	701.30
02/23/2022	--- Block 4 Lot 4 Sunnyside Industrial and Professional Park PMT #60592.	-46.00	655.30

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
0.00	6,313.50	55.44	0.00	655.30	\$7,024.24



# Statement

Sunnyside Utilities Inc  
 P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

Date
5/31/2022

To:
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

Amount Due	Amount Enc.
\$7,024.24	

Date	Transaction	Amount	Balance
02/28/2022	INV #3426. Due 02/28/2022. --- H2O \$22.00 --- SWR \$24.00 ---	46.00	701.30
03/25/2022	--- Block 4 Lot 4 Sunnyside Industrial and Professional Park PMT #60610.	-46.00	655.30
03/31/2022	INV #3444. Due 03/31/2022. --- H2O \$22.00 --- SWR \$24.00 --- H2O Excess, 12.38 @ \$0.67 = 8.29 --- Block 4 Lot 4 Sunnyside Industrial and Professional Park	54.29	709.59
04/26/2022	PMT #99009.	-54.29	655.30
04/30/2022	INV #3463. Due 04/30/2022. --- H2O \$22.00 --- SWR \$24.00 --- H2O Excess, 14.09 @ \$0.67 = 9.44 --- Block 4 Lot 4 Sunnyside Industrial and Professional Park	55.44	710.74
05/31/2022	INV #3500. Due 05/31/2022. --- H2O \$22.00 --- SWR \$24.00 --- H2O Excess \$0.00 --- Block 4 Lot 4 Sunnyside Industrial and Professional Park	46.00	756.74
05/31/2022	INV #3517. Due 05/31/2022. --- Misc., 197 @ \$27.50 = 5,417.50 --- Misc., 10 @ \$85.00 = 850.00	6,267.50	7,024.24

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
0.00	6,313.50	55.44	0.00	655.30	\$7,024.24

Sunnyside Utilities Inc

P.O. Box 1768  
Idaho Falls, ID 83403-1768  
208-529-9891

# Invoice

Date	Invoice #
5/31/2022	3517

Bill To
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
197	WATER METER CHECK \$55.00 HR @.50	27.50	5,417.50
10	ACCOUNT MANAGEMENT- DOYLE BECK	85.00	850.00
		<b>Total</b>	\$6,267.50

Sunnyside Utilities Inc  
 P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

# Invoice

Date	Invoice #
5/31/2022	3500

Bill To
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
0	Excess Water Charge	0.67	0.00
	Block 4 Lot 4 Sunnyside Industrial and Professional Park		
		<b>Total</b>	\$46.00

Sunnyside Utilities Inc

P.O. Box 1768  
Idaho Falls, ID 83403-1768  
208-529-9891

# Invoice

Date	Invoice #
4/30/2022	3463

<b>Bill To</b>
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
14.09	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
	Excess Water Charge	0.67	9.44
	Block 4 Lot 4 Sunnyside Industrial and Professional Park		
		<b>Total</b>	\$55.44

Sunnyside Utilities Inc

P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

# Invoice

Date	Invoice #
10/31/2021	3342

<b>Bill To</b>
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
3.7	Excess Water Charge: Reading 10/01/21 13500 11/01/21 29200	0.67	2.48
	Block 4 Lot 4 Sunnyside Industrial and Professional Park Doyle Beck Invoice 101-21	653.49	653.49
<b>Total</b>			\$701.97

DDR CONTRACTOR INC

4583 S Ammon Rd  
Idaho Falls, ID 83406

# Invoice

Date	Invoice #
7/29/2021	781

Bill To
Don Sorrells

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
1	Mobilization	700.00	700.00
1	Excavator labor and Forman	1,770.00	1,770.00
1	1.5 meter pit and fittings	2,218.83	2,218.83
1	Flange meter	746.32	746.32
<i>WATER METER PURCHASE + INSTALL 3887 AMERICAN WAY IDAHO FALLS, ID. 83404</i>			
<b>Total</b>			\$5,435.15

Sunnyside Utilities Inc

P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

# Invoice

Date	Invoice #
10/31/2021	3342

Bill To
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
3.7	Excess Water Charge: Reading 10/01/21 13500 11/01/21 29200	0.67	2.48
	Block 4 Lot 4 Sunnyside Industrial and Professional Park Doyle Beck Invoice 101-21	653.49	653.49
		<b>Total</b>	<b>\$701.97</b>

Sunnyside Utilities Inc

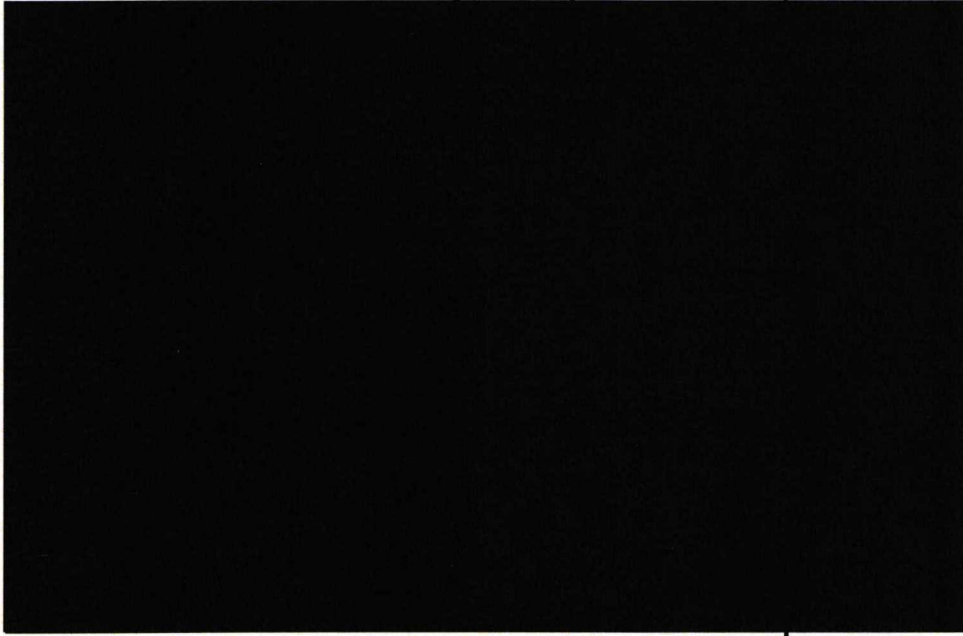
P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

# Invoice

Date	Invoice #
3/31/2022	3444

<b>Bill To</b>
Donald Sorrells 3341 N Emperor Ave. Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
12.39	Water Service	22.00	22.00
	Sewer Service	24.00	24.00
	Excess Water Charge	0.67	8.29
	Block 4 Lot 4 Sunnyside Industrial and Professional Park		
			
		<b>Total</b>	\$54.29



# Invoice

Date	Invoice #
4/30/2022	3463

Sunnyside Utilities Inc  
 P.O. Box 1768  
 Idaho Falls, ID 83403-1768  
 208-529-9891

Bill To  
 Donald Sorrells  
 3341 N Emperor Ave.  
 Fresno, CA 93737

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
14.09	Water Service Sewer Service Excess Water Charge Block 4 Lot 4 Sunnyside Industrial and Professional Park	22.00 24.00 0.67	22.00 24.00 9.44
<b>Total</b>			\$55.44

# INVOICE

Doyle Beck  
P.O. Box 1768  
Idaho Falls, Idaho 83403

DATE: October 29, 2021  
INVOICE # 101-21

**BILL TO:**  
Sunnyside Park Utilities Inc.  
3655 Professional Way  
PO Box 1768  
Idaho Falls, ID 83402

DESCRIPTION		RATE	AMOUNT
10/25/21: Inspect sewer / followed manholes to flow source / determined to be Don Sorrells Property / retrieved shutoff key/ shut off water valve at meter.	2.00	85.00	\$ 170.00
10/26/21: Inspected sewer / followed manholes to flow source / determined to be Don Sorrells Property / determined shut off valve had been reopened / sewer flow was evident / retrieved shutoff key shut off water valve at meter / installed padlock.	2.00	85.00	170.00
10/27/21: Went to open and unlock water valve per Don Sorrells Attorney's letter / found lock that had been installed missing / New lock from others had been installed / Lock was installed to keep water meter valve open.	0.50	85.00	42.50
10/29/21: Consult with attorney to obtain cooperation from Donald Sorrells.	3.00	85.00	255.00
Master lock	1.00	15.99	15.99
SUBTOTAL			\$ 653.49
TAX RATE			
SALES TAX			-
OTHER			
TOTAL			\$ 653.49

Total due in 15 days. Overdue accounts subject to a service charge of 1.5% per month.

**THANK YOU FOR YOUR BUSINESS!**

**Finish Line Plumbing Inc**  
 1081 Midway Avenue  
 Idaho Falls, ID 83406 US  
 finishlineplumbing1@gmail.com

**Invoice**

<b>BILL TO</b>
Don Sorrells

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
426	10/27/2021	\$486.16	11/26/2021	Net 30	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
10/27/2021	<b>Parts</b>	Curb box key, and water closet flappers.	1	111.90	111.90
	<b>Labor</b>	2 Man labor, for replacement of Flappers, and turning on water and testing.	2	180.00	360.00
	<b>Late fee</b>	1.5% - Applied on Nov 28, 2021			7.08
	<b>Late fee</b>	1.5% - Applied on Dec 28, 2021			7.18

BALANCE DUE

**\$486.16**