

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 28, 2013

Nazar Najor
Live Oak Springs
37820 Old Highway 80
P.O. Box 1241
Boulevard, CA 91905

Notice of Violation

Live Oak Springs has violated the California Public Utilities Commission's (CPUC) Rules and Regulations per Resolution (Res.) W-4799 dated October 2009 by selling trucked water without permission to Straub Construction in the year 2011 for use at a Department of the Army site.

These were violations of General Order (GO) 103-A Section II § B (1) in that the water supplied was not from a permitted source. Mr. Najor stated that 3,424,627 + 2,424,627 gallons of water were trucked from Live Oak Springs. Evidence of trucking during a typical week in 2001 indicates that an average of 45,750 gallons per day were taken from the utility in 3,000 gallon capacity trucks. This amounts to 135 days of violations.

Res. W-4799 allows CPUC Division of Water and Audits (DWA) to impose a fine of \$500 per violation. This amounts to a fine of $135 \times \$500 = \$67,500$.

The evidence that Live Oak Springs had been selling this trucked water was provided by Nazar Najor on November 21, 2012 in answer to a data request by Kayode Kajopaiye for CPUC Investigation I.12-08-004. Mr. Najor has admitted that he had not obtained written approval from the CPUC to truck water, but instead acted on verbal approval which is untrue, unallowable and unverified.

Res. W-4799 allows DWA to provide prior written notice to cure or informally contest a violation and proposed penalty amount before a citation is issued. Since this was past activity there is no period for which the company can come into compliance.

Service of this Notice of Violation is by first-class mail. An appeal may be brought by serving a Notice of Appeal upon Staff, who is Albert Schiff, and the Respondent shall indicate the grounds for the appeal in the notice. Details of the appeal process are contained in Res. W-4799 which has already been provided to Mr. Najor.

A handwritten signature in blue ink that reads "Albert Schiff".

Albert Schiff
Division of Water and Audits