

**DANIEL L. PAHLKE, Attorney, P.C.**

1010 Soo San Dr., Suite 205  
Rapid City, South Dakota 57702  
Phone: 605-341-4646  
FAX: 605-716-1924  
E-mail: [dlpahlke@pahlkelaw.org](mailto:dlpahlke@pahlkelaw.org)

---

Diana T. Whay  
Certified Professional Paralegal  
[dianaw@pahlkelaw.org](mailto:dianaw@pahlkelaw.org)

July 31, 2008

**RECEIVED**

**AUG 01 2008**

**RAPID CITY  
PUBLIC WORKS**

Robert Ellis, Public Works Director  
City and School Administration Building  
300 6<sup>th</sup> Street  
Rapid City, SD 57701

Re: Daniel Pahlke Sewer Charges  
Customer No. 0066693

Dear Mr. Ellis:

This is in regard to the sewer charges I have incurred for my office building at 1010 Soo San Drive. The billing address, for some reason, is 1018 Soo San Drive.

I purchased the building four years ago and did not realize that the sewer charge was tied to the water bill. I have an underground sprinkler water system. Unfortunately, during the summer months, the sewer charge increased dramatically in conjunction with the additional use for the underground water sprinkler system. Obviously, the sewer usage did not actually increase because of the limited water usage actually from inside the building. I did not discover that I was being assessed a sewer charge for the underground sprinkler system until late last fall.

After learning of the manner in which the sewer charges were assessed, I installed a second separate meter for the underground sprinkler system this spring.

I am enclosing a table setting forth my city water and sewer charges for 2004, 2005, 2006 and 2007. I am requesting a refund of the sewer charges exceeding the normal sewer charge each month for years 2004, 2005, 2006, and 2007. The excess sewer charges are \$599.08 for 2004, \$695.56 for 2005, \$798.52 for 2006, and \$889.76 for 2007. These four years total \$2,982.82. I am requesting reimbursement of the total sum of \$2,982.82 for years 2004 through 2007.

I would request that this matter be put on the Public Works agenda for my refund request. Thank you for your attention to this matter.

Sincerely yours,



Daniel L. Pahlke

DLP/dtw

<b>City Finance (Water) 2004</b>					
<i>Billing Date</i>	<i>Miscellaneous Charges</i>	<i>Metered Usage (100 cu. ft. used)</i>	<i>Water charge</i>	<i>Sewer charge</i>	<i>Total Amount</i>
		0	0.00	0.00	0.00
02/23/04	\$32.50	0	5.93	3.00	41.43
03/22/04		1	7.90	4.00	11.90
04/26/04		1	7.90	4.00	11.90
05/24/04		16	27.50	23.68	51.18
06/21/04		104	176.62	153.92	330.54
07/26/04	\$0.67	69	110.82	102.12	213.61
08/23/04		85	140.90	125.80	266.70
09/27/04		101	170.98	149.48	320.46
10/25/04		46	69.50	68.08	137.58
11/22/04		1	7.90	4.00	11.90
12/27/04	\$3.15	2	7.90	4.00	15.05
	<b>TOTAL</b>		<b>\$733.85</b>	<b>\$642.08</b>	<b>\$1409.10</b>
	Regular Sewer Charge Without Underground Sprinkler System			-43.00	
	<b>Additional Sewer Charges Based Upon Sprinkler System Usage</b>			<b>\$599.08</b>	

<b>City Finance (Water) 2005</b>					
<i>Billing Date</i>	<i>Miscellaneous Charges</i>	<i>Metered Usage (100 cu. ft. used)</i>	<i>Water charge</i>	<i>Sewer charge</i>	<i>Total Amount</i>
01/24/05		2	7.90	5.00	12.90
02/28/05		2	8.61	5.00	13.61
03/28/05		1	8.61	5.00	13.61
04/25/05		2	8.61	5.00	13.61
05/23/05		1	8.61	5.00	13.61
06/27/05		2	8.61	5.00	13.61
07/25/07	\$1.40	66	118.75	132.66	252.81
08/22/05		113	178.44	227.13	405.57
09/26/05		113	178.44	227.13	405.57
10/24/05		64	103.47	128.64	232.11
11/28/05		2	8.61	5.00	13.61
12/ /05	\$1.00, \$3.55	1	8.61	5.00	18.16
			647.27	755.56	1408.78
	Regular Sewer Charge Without Underground Sprinkler System			-60.00	
	<b>Additional Sewer Charges Based Upon Sprinkler System Usage</b>			<b>\$695.56</b>	

<b>City Finance (Water) 2006</b>					
<i>Billing Date</i>	<i>Miscellaneous Charges</i>	<i>Metered Usage (100 cu. ft. used)</i>	<i>Water charge</i>	<i>Sewer charge</i>	<i>Total Amount</i>
January		1	8.61	5.00	13.61
February		2	9.39	5.00	14.39
March		1	9.39	5.00	14.39
April		2	9.39	5.00	14.39
May		2	9.39	5.00	14.39
June		59	104.01	132.75	236.76
July	\$1.40	70	122.27	157.50	281.17
August		125	213.57	281.25	494.82
Sept.	\$7.42	70	122.27	157.50	287.19
Oct.		42	75.79	94.52	170.29
Nov.		2	9.39	5.00	14.39
Dec.	\$3.55	1	9.39	5.00	17.94
<b>Total:</b>			702.86	858.52	1573.73
	Regular Sewer Charge Without Underground Sprinkler System			-60.00	
	<b>Additional Sewer Charges Based Upon Sprinkler System Usage</b>			<b>\$798.52</b>	

<b>City Finance (Water) 2007</b>					
<i>Billing Date</i>	<i>Miscellaneous Charges</i>	<i>Metered Usage (100 cu. ft. used)</i>	<i>Water charge</i>	<i>Sewer charge</i>	<i>Total Amount</i>
January		2	9.39	5.04	14.43
February		1	10.23	5.00	15.23
March		1	10.23	5.00	15.23
April		1	10.23	5.00	15.23
May		2	10.23	5.04	15.27
June		1	10.23	5.00	15.23
July		84	158.65	211.68	371.73
August		146	270.87	367.92	638.79
Sept.		66	126.07	166.32	292.39
Oct.		59	113.40	148.68	262.08
Nov.		8	21.09	20.16	41.25
Dec.	\$3.55	1	10.23	5.00	18.78
			760.85	949.84	1715.64
	Regular Sewer Charge Without Underground Sprinkler System			-60.08	
	<b>Additional Sewer Charges Based Upon Sprinkler System Usage</b>			<b>\$889.76</b>	