

Control Number: 43121



Item Number: 20

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PUC DOCKET NO. 43121

**REQUEST BY EDE AND RANDY
BULLOCK FOR DETERMINATION
OF RCH WATER SUPPLY
CORPORATION'S COMPLIANCE
WITH TEXAS WATER CODE
SEC. 13.004 (37766-1)**

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PUBLIC UTILITY COMMISSION
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**RCH WATER SUPPLY CORPORATION
RESPONSE TO ORDER NO. 4**

TO THE PUBLIC UTILITY COMMISSION:

The RCH Water Supply Corporation ("RCH") hereby provides the information requested in Order No. 4.

I. INTRODUCTION AND BACKGROUND

On September 24, 2015, RCH asserted that the PUC's jurisdiction in this proceeding is limited. On September 29, 2015, Commission Staff responded by recommending the production of certain documents. On September 30, 2015, Order No. 2 required the additional documents be submitted by October 15, 2015. On October 15, 2015, RCH provided the requested documents and information from the Secretary of State. On October 21, 2015, RCH provided additional documentation required in Order No. 2. On October 22, 2015, Commission Staff requested additional documents. Order No. 4 ordered the production of the following documentation:

1. A Copy of RCH's tariff in place in June 2010, and confirmation that RCH's tariff at the time did not include the "Owner's and Renters" provision of Section E of the tariff.
2. Confirmation that there was a "Grievance Procedures" on Section B of RCH's previous tariff versions, and documentation that RCH followed this

procedure with Ede and Randy Bullock (Petitioners) regarding the dispute at issue.

3. Confirmation that Petitioners signed paperwork with RCH in the summer of 2010 which stated that Petitioner's would be responsible for J&M Tire Store's water bill in the event J&M Tire Store defaulted on its water bill.
4. Confirmation that the April 2015 tariff was voted on in an open meeting after notice was given to members.

On October 23, 2015, RCH objected to the production of the documents and sought an order of protection. RCH has not received an order sustaining or overruling its objection or its motion for protection. With the provision of the documents as discussed below, RCH re-urges its Motion for Protection as previously stated.

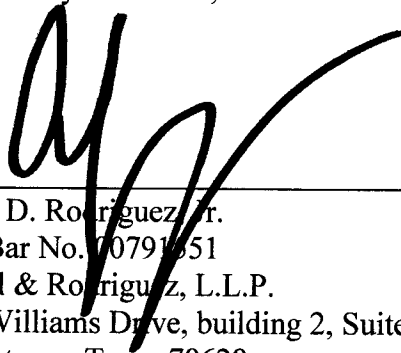
II. RESPONSES

In compliance with Order No. 4, RCH provides an affidavit of Odis Lowe, Board Secretary of the RCH Board of Directors. Mr. Lowe's affidavit provides the necessary documentation responsive to each request. Mr. Lowe's affidavit is attached hereto as Exhibit A.

III. PRAYER

RCH has demonstrated in its filings in this docket that the PUC cannot exercise jurisdiction pursuant to TWC §13.004 and 10 Tex. Admin. Code § 24.35. As such, RCH prays that the provision of the affidavit hereto is the final document sought by Commission Staff. RCH urges closure of this matter. In the alternative, RCH re-urges its motion for protection against any further inquiries by Commission Staff until Commission Staff demonstrates the PUC's jurisdiction in this case.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Arturo D. Rodriguez Jr.', is written over a horizontal line.

Arturo D. Rodriguez Jr.
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ATTORNEY FOR RCH WATER SUPPLY
CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of November, 2015, a true and correct copy of the foregoing document was served on the individuals listed below by hand delivery, email, facsimile or First Class Mail.

Jason Haas
Attorney – Legal Division
Public Utility Commission of Texas
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326
Telephone: (512) 936-7295
Facsimile: (512) 936-7268
Representing the Public Utility
Commission of Texas

Randy and Ede Bullock
P.O. Box 2303
Rockwall, Texas 75087



Arturo D. Rodriguez, Jr.

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PUBLIC UTILITY COMMISSION

OF TEXAS

AFFIDAVIT OF ODIS LOWE

STATE OF TEXAS

§

COUNTY OF ROCKWALL

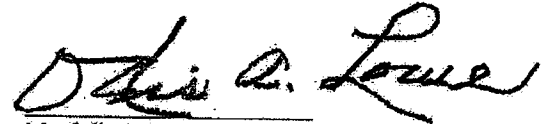
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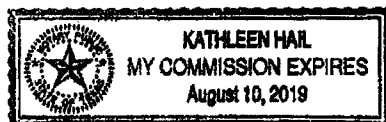
BEFORE ME, the undersigned authority, personally appeared Odis Lowe, known to me to be the person who subscribed her name below, who, being by me first duly sworn did depose on her oath as follows:

1. I am over 18 years of age, have not been convicted of a crime, and I am of sound mind. I serve as the President of the RCH Water Supply Corporation (hereinafter "RCH") and personally acquainted with the facts herein stated.
2. I have been on the Board of Directors of RCH since 1963.
3. RCH produced a copy of its Tariff dated April 2015 ("Current Tariff") with the Public Utility Commission of Texas on October 12, 2015. The Current Tariff was approved by the RCH Board of Directors in a posted open meeting pursuant to the Texas Open Meetings Act. Notice of the Current Tariff was properly provided.
4. RCH had a tariff similar to the Current Tariff in effect in June 2010. Specifically, the "Owners and Renters" provision contained in Section E. of the Current Tariff read the same as it did in June 2010.
5. The "Grievance Procedure" in Section B. of RCH's previous tariffs reads the same as contained in the Current Tariff. The RCH Board followed the procedures. The RCH Board had Mr. Randy Bullock's complaint on RCH's meeting agenda multiple times. Mr. Bullock failed to attend any of the meetings.
6. To my knowledge, Mr. Randy Bullock was a member of RCH in June 2010.

Further affiant sayeth not."


Mr. Odis A. Lowe

Subscribed to and sworn to before me, the undersigned authority on this the 9th day of November 2015.



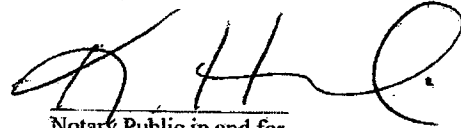

Notary Public in and for
the State of Texas

EXHIBIT A