

Control Number: 43146



Item Number: 5

Addendum StartPage: 0

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Addison, TX 75001

RECEIVED #43146  
2014 OCT -6 AM 9:27  
PUBLIC UTILITY COMMISSION  
FILING CLERK

October 1, 2014

Public Utility Commission of Texas  
Central Records  
1701 N Congress, Suite 8-100  
Austin, Texas 78711

RE: Docket #43146 (Avalon Water Supply and Sewer Services Corporation)

Dear PUC:

Today I received a third letter from Avalon Water Supply and Sewer Services Corporation's (AWS&SSC) attorney, Aimee Hess. All three letters I have received are dated September 12, 2014, but the first two arrived at my home on September 13<sup>th</sup> via certified mail and were in one envelope. I am attaching a copy of this third letter and the envelope it came in. (The PUC already has the two other letters from Ms. Hess on file.) Please note that although this third letter is also dated September 12, 2014, it was not mailed until September 30, 2014. If you look at the envelope, you will notice the postage was purchased through Stamps.com and appears to have been printed directly on the envelope at Ms. Hess' office on September 30th.

This third letter from Ms. Hess is a response to a letter/request that I presented to the President of the Board of Directors of AWS&SSC at their August 14, 2014 meeting. I am not sure why Ms. Hess included an August 30, 2014 date in the reference line. My letter/request is clearly dated August 14, 2014 and the DVD of the meeting held on that date clearly shows me handing the letter/request to the President of the Board. Copies of my letter/request and the DVD are also on file with the PUC.

This letter that I hand delivered to the Board President requested answers to four simple questions about the 2012 Income Tax Return. According to the Tariff of Avalon Water Supply, any member of Avalon Water Supply may present "a letter to the Board of Directors stating the individual's grievance or concern and the desired result. The Board of Directors shall respond to the complaint by communicating the Board's decision in writing."

Ms. Hess did not respond to my specific questions, but stated that my questions are "general in nature and can be answered by any accountant or with information on the IRS website." I disagree. *My questions are very specific to AWS&SSC and their responses to questions on the tax return.* She then states if I have "specific questions concerning the Avalon tax return that cannot be answered in this way, we will be glad to make an appointment for you with the Avalon accountant." Ms. Hess knows my questions are specific to AWS&SSC, because I have already submitted the questions.

However, the terms that Ms. Hess offered for the meeting are unacceptable. She has requested that I pay for the accountant's time as well as *her* time. Ms. Hess does not offer an estimate for the cost, but I would estimate the time for a meeting (and travel time for at least one of these professionals) to be excessive for the information that I have requested. As a member of AWS&SSC, I should be entitled to answers to my questions without paying exorbitant charges.

I question this "potential" meeting that Ms. Hess offers. Will it be with the accountant who prepared the return in 2013? Or, will it be with the new CPA? My understanding is that AWS&SSC recently terminated their business relationship with their long-time CPA. Although the Board of Directors never voted to terminate one CPA firm and hire a new CPA in any public meeting, the General Manager stated in the August 2014 meeting that a new CPA had been hired.

I also question Ms. Hess stating that I will need to pay her to be in attendance at this "potential" meeting. If Ms. Hess is representing AWS&SSC, why should I pay her? Although I do not know the current financial terms of Ms. Hess' representation of AWS&SSC, she has charged a flat amount to represent them in the past. Does this mean she is attempting to charge me for something that has already been paid for? Or, is this a thinly veiled attempt to have me pay for services provided to AWS&SSC? Regardless of the financial terms of her representation of AWS&SSC, I do not believe that a member should be charged for asking simple questions.

5

#43146

My four questions are detailed in the request that I gave the Board on August 14, 2014. One of my questions regards the statement on page 21, "THE RETURN IS REVIEWED AT A BOARD MEETING PRIOR TO FILING." The return was filed on November 15, 2013. Since I was present at all meetings of AWS&SSC during that time frame, I do not believe that the return was ever reviewed at a board meeting. Perhaps if it had been reviewed, I would not have questions about the return now. I could have asked my questions at the meeting during Open Forum for members.

In closing, I would like to state that this third letter seems to contradict one of the previous letters dated the same exact day. One of those letters states, "My client and I decline at this time to address any of the other allegations/issues in either of your letters because they are either repetitive of previous communications with you or because they argumentative, frivolous, and contentious." Please accept this additional documentation to support my claims of how difficult and costly it is for members to obtain any information from AWS&SSC regarding their finances.

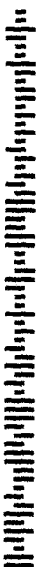
Sincerely,

  
Carol D. Gillespie

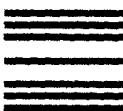
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#43146

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September 12, 2014

**VIA REGULAR MAIL:**

Ms. Carol Gillespie  
3921 Bobbin Ln.  
Addison, TX 75001-3102

Re: August 30, 2014 Correspondence re: Avalon  
2012 Federal Tax Return

Dear Ms. Gillespie:

As you know, this office represents Avalon Water Supply and Sewer Service Corporation ("Avalon"). Please accept this letter as a response to your letter dated August 14, 2014 regarding the Avalon 2012 federal tax return.

Avalon tax returns are prepared by its accountant. We are assured that the returns comply with all applicable laws and regulations. Some of your questions are general in nature and can be answered by any accountant or with information on the IRS website. If you have specific questions concerning the Avalon tax return that cannot be answered in this way, we will be glad to make an appointment for you with the Avalon accountant. The fees for the accountant's time and also for my time, since I will need to be present, must be paid in good funds prior to the appointment. If you would like to arrange such a meeting, please let me know and I will be glad to coordinate an appointment.

Should you have any further questions regarding any aspect of this matter, please contact me in writing. Thank you in advance for your courtesy and cooperation.

Very truly yours,

Law Offices of Aimee Hess P.C.

**Aimee Hess**

By: \_\_\_\_\_  
Aimee Hess