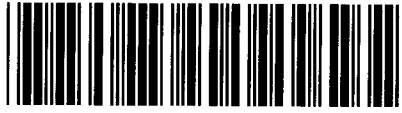


Control Number: 43704



Item Number: 290

Addendum StartPage: 0

3/4/2015

Public Utility Commission of Texas
Central Records
1701 N. Congress
P.O. Box 13326
Austin, Texas 78711-3326

RECEIVED
2015 MAR -9 PM 12:31
PUBLIC UTILITY COMMISSION
FILING CLERK

RE: S1658

Conversion from submetered to allocated utility service billing at Heather Ridge Apartments

Dear Central Records:

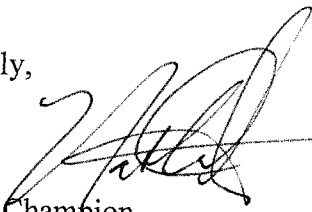
Pursuant to Section 24.123(d) of the Texas Public Utility Commission's Regulations, we respectfully requests that the Heather Ridge Apartments be allowed to convert from submetered to allocated utility service billing.

The reason for this request is that the property has an outdated submetering system that is experiencing electronics problems with the transmitters, repeaters and head units and the cost to replace would be prohibitive. The entire submetering system will have to be replaced at a cost of \$24,888.00 and is economically not feasible. A copy of the installation bid is included with this letter.

The Heather Ridge Apartments are located at 4030 Esters Road, Irving, TX 75038. Concurrent with this submission and in compliance with the lease requirements in Regulation 24.123(c), the Owner will provide Tenants a new lease addendum which will disclose the allocated billing method which will be used if Owner receives written approval from your office.

Thank you for your consideration of this request. Please contact me at 469-206-8909 if you require additional information.

Sincerely,



Nathan Champion
Regional Manager
Atlantic Housing Management, LLC

Enclosures:
Registration of Submetered or Allocated Utility Service
Estimate for Repair or Replacement



Registration of Submetered OR Allocated Utility Service

NOTE: Please **DO NOT** include any person or protected information on this form (ex: tax identification #'s, social security #'s, etc.)

Date: _____
 By: _____
 Docket No. _____
 (this number to be assigned by the PUC after your form is filed)

PROPERTY OWNER: Do not enter the name of the owner's contract manager, management company, or billing company.

Name	Atlantic Housing						
Mailing Address:	5910 N. Central Expy., Ste 1310	City	Dallas	State	TX	Zip	75206
Telephone #	(469) 206-8900	Fax # (if applicable)	(469) 020-6899	E-mail	nchampion@ahmanagement.org		

NAME, ADDRESS, AND TYPE OF PROPERTY WHERE UTILITY SERVICE IS PROVIDED

Name	Heather Ridge Apartments						
Mailing Address:	4030 Esters Road	City	Irving	State	TX	Zip	75038
Telephone #	(972) 257-1909	Fax # (if applicable)	()	E-mail			
<input checked="" type="checkbox"/>	Apartment Complex	<input type="checkbox"/>	Condominium	<input type="checkbox"/>	Manufactured Home Rental Community	<input type="checkbox"/>	Multiple-Use Facility
If applicable, describe the "multiple-use facility" here:							

INFORMATION ON UTILITY SERVICE

Tenants are billed for	<input checked="" type="checkbox"/>	Water	<input checked="" type="checkbox"/>	Wastewater	<input type="checkbox"/>	Submetered OR	<input checked="" type="checkbox"/>	Allocated ★★★
Name of utility providing water/wastewater	City of Irving							
Date submetered or allocated billing begins (or began)	02/23/2007			Required				

METHOD USED TO OFFSET CHARGES FOR COMMON AREAS Check one line only.

<input type="checkbox"/>	Not applicable, because	Bills are based on the tenant's actual submetered consumption
<input type="checkbox"/>	There are neither common areas nor an installed irrigation system	
<input type="checkbox"/>	All common areas and the irrigation system(s) are metered or submetered: We deduct the actual utility charges for water and wastewater to these areas then allocate the remaining charges among our tenants.	
<input checked="" type="checkbox"/>	This property has an installed irrigation system that is <u>not</u> separately metered or submetered: We deduct <input type="text" value="25"/> percent (we deduct at least 25 percent) of the utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.	
<input type="checkbox"/>	This property has an installed irrigation system(s) that <u>is/are</u> separately metered or submetered: We deduct the actual utility charges associated with the irrigation system(s), then deduct at least 5 percent of the utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.	
<input type="checkbox"/>	This property does <u>not</u> have an installed irrigation system: We deduct at least 5 percent of the retail public utility's total charges for water and wastewater consumption, and then allocate the remaining charges among our tenants.	

★★★ IF UTILITY SERVICES ARE ALLOCATED, YOU MUST ALSO COMPLETE PAGE TWO OF THIS FORM ★★★

Send this form by mail to:
 Filing Clerk, Public Utility Commission of Texas
 1701 North Congress Avenue
 P.O. Box 13326
 Austin, Texas 78711-3326

METHOD USED TO ALLOCATE UTILITY CHARGES

Check the box or boxes that describe the allocation method used to bill tenants.

Occupancy method: The number of occupants in the tenant's dwelling unit is divided by the total number of occupants in all dwelling units at the beginning of the month for which bills are being rendered.

<input type="checkbox"/> Ratio occupancy method: The number of occupants in the tenant's dwelling unit is adjusted as shown in the table to the right. This adjusted value is divided by the total of these values for all dwelling units occupied at the beginning of the retail public utility's billing period.	Number of Occupants	Number of Occupants for Billing Purposes
	1	1.0
	2	1.6
	3	2.2
	>3	2.2 + 0.4 for each additional occupant

<input type="checkbox"/> Estimated occupancy method: The estimated occupancy for each unit is based on the number of bedrooms as shown in the table to the right. The estimated occupancy in the tenant's dwelling unit is divided by the total estimated occupancy in all dwelling units regardless of the actual number of occupants or occupied units.	Number of Bedrooms	Number of Occupants for Billing Purposes
	0 (Efficiency)	1
	1	1.6
	2	2.8
	3	4.0
	>3	4.0 + 1.2 for each additional bedroom

Occupancy and size of rental unit percent (in which no more than 50%) of the utility bill for water/wastewater consumption is allocated using the occupancy method checked above. The remainder is allocated according to either:

- the size of the tenant's dwelling unit divided by the total size of all dwelling units, **OR**
- the size of the space rented by the tenant of a manufactured home divided by the size of all rental spaces.

Submetered hot water:
 The individually submetered hot water used in the tenant's dwelling unit is divided by all submetered hot water used in all dwelling units.

Submetered cold water is used to allocate charges for hot water provided through a central system:
 The individually submetered cold water used in the tenant's dwelling unit is divided by all submetered cold water used in all dwelling units.

As outlined in the condominium contract. Describe:

Size of manufactured home rental space:
 The size of the area rented by the tenant divided by the total area of all the size of rental spaces.

Size of the rented space in a multi-use facility:
 The square footage of the space rented by the tenant divided by the total square footage of all rental spaces.

**CHAPTER 24. SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER
SERVICE PROVIDERS.**

Subchapter H. WATER UTILITY SUBMETERING AND ALLOCATION.

§24.123. Rental Agreement.

- (a) **Rental agreement content.** The rental agreement between the owner and tenant shall clearly state in writing:
- (1) the tenant will be billed by the owner for submetered or allocated utility services, whichever is applicable;
 - (2) which utility services will be included in the bill issued by the owner;
 - (3) any disputes relating to the computation of the tenant's bill or the accuracy of any submetering device will be between the tenant and the owner;
 - (4) the average monthly bill for all dwelling units in the previous calendar year and the highest and lowest month's bills for that period;
 - (5) if not submetered, a clear description of the formula used to allocate utility services;
 - (6) information regarding billing such as meter reading dates, billing dates, and due dates;
 - (7) the period of time by which owner will repair leaks in the tenant's unit and in common areas, if common areas are not submetered;
 - (8) the tenant has the right to receive information from the owner to verify the utility bill; and
 - (9) for manufactured home rental communities and apartment houses, the service charge percentage permitted under §24.124(d)(3) of this title (relating to Charges and Calculations) that will be billed to tenants.
- (b) **Requirement to provide rules.** At the time a rental agreement is discussed, the owner shall provide a copy of this subchapter or a copy of the rules to the tenant to inform the tenant of his rights and the owner's responsibilities under this subchapter.
- (c) **Tenant agreement to billing method changes.** An owner shall not change the method by which a tenant is billed unless the tenant has agreed to the change by signing a lease or other written agreement. The owner shall provide notice of the proposed change at least 35 days prior to implementing the new method.
- (d) **Change from submetered to allocated billing.** An owner shall not change from submetered billing to allocated billing, except after receiving written approval from the commission after a demonstration of good cause and if the rental agreement requirements under subsections (a), (b), and (c) of this section have been met. Good cause may include:
- (1) equipment failures; or
 - (2) meter reading or billing problems that could not feasibly be corrected.
- (e) **Waiver of tenant rights prohibited.** A rental agreement provision that purports to waive a tenant's rights or an owner's responsibilities under this subchapter is void.

Proposal for

Atlantic Housing

Heather Ridge Apartments

*** Retrofit***

Irving, TX

2/26/2015

Confidentiality Statement:

The information contained in this sales proposal ("Proposal") is proprietary and confidential to NWP Services Corporation (NWP) and is being submitted solely to Atlantic Housing for its' confidential use with the express understanding that, without the prior express written permission of NWP, such persons will not release this document or discuss the information contained in this Proposal or make reproductions of or use this Proposal for any purpose other than evaluating the potential use of NWP's services.

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WATER SUBMETERING SYSTEM INSTALLATION BID
Atlantic Housing
Retrofit-Meters and Wireless Electronics/Meter Reporting
Heather Ridge

Submitted by: Kyle Gambrell
NWP Services Corporation
6800 Windhaven Pkwy
The Colony, TX 75056

Customer: Nathan Champion
Regional Manager
Atlantic Housing
469-206-8909

Date: February 26th, 2015

NWP Installed Meter Pricing for 204 unit community..... \$122.00 per unit
Total 204 Units-NWP Install..... \$24,888.00 Total

NWP Services Corporation will:

1. **Supply and Install** one (1) NMT Meter with a 900 mhz Transceiver in each apartment unit.
2. **Supply** all meter bodies, idle tubes and couplings for each unit.
3. **Install** meters, necessary repeaters (**up to 7**) and 1 internet enabled Data Concentrating Access Point (DCAP).
4. **Program** the DCAP and ensure that the transmitters and meters correspond to the appropriate addresses/unit.
5. **Warranty** is valid for the installation and equipment (Meters and Transmitters) for 1 year after the date of substantial installation. Equipment damaged or tampered with after the installation process by the owner, resident, or non-NWP contractors and equipment are subject to abnormal wear or natural disasters (such as lighting strikes, flooding, or freezing) will be the responsibility of the owner.

Community (Atlantic Housing/Heather Ridge) will:

6. **Provide** a site plan of the community with building numbers and a list of the unit numbers in each building.
7. **Owner (or owner's plumber)** to install idle tubes (meter bodies) and couplings in each unit.
8. **Provide** access to all units during the installation process.
9. **Provide** a 10/100 Ethernet connection and an AC outlet for Data Collector, per NWP specifications, in the main office or designated central area
10. **Provide** AC outlets per NWP specifications. These outlets should be drawn from house power and may not be on any timer.



Standard Terms:

- 20% DUE UPON EXECUTION OF CONTRACT
- 70% DUE UPON METER DELIVERY TO project
- 10% DUE UPON ACTIVATION
- Projects that take longer than one year to complete from the initial installation of equipment through the final setup of the sub metering system will be subject to minimum fees of \$500 per installation visit.

**This pricing is good for 60 (sixty) days from the date of proposal. Any pricing after 60 days will be subject to an updated proposal and re-evaluation of the terms.

ACCEPTED BY:

Printed Name

Title

Signature

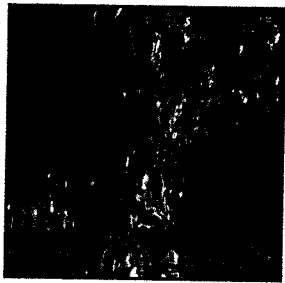
Date

UTILI-FACTS

Tenant Guide to Allocated Water or Wastewater Service

What is allocated utility service?

Under a lease agreement, a property owner or designated allocated service provider will bill you for water and perhaps wastewater using an allocation method. The owner or allocated service provider receives water and sewer service from the local utility and passes



through the cost of one or both of these services to each dwelling unit on the property. At the time you discuss a rental agreement, the property owner must provide you with a free copy of the rules on utility allocation (Texas Administrative Code, Title 16 (16 TAC), Chapter 24, Subchapter H), or a copy of this

summary of the rules that has been prepared by the Public Utility Commission of Texas (PUCT).

How does allocation work?

You will receive a bill from the property owner or a billing company, not from the local utility company. The allocated bill is not based on your actual usage. Instead, the property owner has a master meter, which is used by the utility to measure all water used by the entire property. The property owner gets a master meter bill from the utility. From this bill, the owner or billing company calculates each tenant's share of the charges for water or wastewater using an allocation method. This method was approved by either the Texas Commission on Environmental Quality (TCEQ) prior to September 1, 2014, or by the PUCT, thereafter.

How will my allocated bill be determined?

The TCEQ approved several methods for allocating utility bills, effective September 27, 2000. Any property using a different method had until September 27, 2001, to switch to one of the newly approved methods. Effective September 1, 2014, the PUCT will be responsible for administration of the allocated billing program under the same methods formerly approved by the TCEQ. Those methods include various combinations of occupancy level, square footage and number of bedrooms, as well as the submetering of the hot or cold water. Alternatively, the owner may install submeters and begin billing on a submetered basis, or discontinue billing for utility service.

If you have questions about your bill, ask your property owner to explain what allocation method was used and how the bill was calculated (see "What records must be made available to me concerning allocated service?" in this publication).

For more information on submetered water and wastewater billing, see PUCT fact sheet titled Tenant Guide to Submetered Water or Wastewater Service."

Is this practice legal?

Yes, Texas law allows owners or allocated service providers to bill tenants for water and wastewater service.

Under this law, the PUCT has adopted rules designed to provide safeguards for you, the tenant. The rules require the property owner to provide you with specific information about your bills and to include disclosures about

their billing practices in your rental agreement. It is important for you to be familiar with these requirements, because any billing disputes that arise must be resolved by you and the property owner, usually by working with the on-site manager.

What should my rental agreement include concerning allocated water or wastewater service?

Your rental agreement, lease, or a lease addendum, should disclose the following information:

- Disputes about the calculation of your bill are between you and the property owner,
- You will be billed on an allocated basis,
- You will be billed for water and/or wastewater,
- You have the right to receive information from the owner to verify your utility bill,
- A clear description of the allocation method the property owner will use to calculate your bill,
- The average monthly water/wastewater bill for all dwelling units in the previous calendar year, and the highest and the lowest bill in that year,
- The date bills are usually issued,
- The date bill payments are usually due,
- The number of days it will take to repair a leak in your dwelling unit, after you have reported it in writing, and
- The number of days it will take to repair a leak in an unmetered common area that you report in writing.



QUESTIONS:

Call: 512-936-7405

Write:

Public Utility Commission
Water Utilities Division
1701 N. Congress Ave.
P.O. Box 13326,
Austin, TX 78711-3326

(continued on back)

(continued from front)

What utility charges can be passed through to tenants?

Allocated bills for water and wastewater may only include utility charges for water, wastewater, and surcharges directly related to those services. Tenants may not be charged for fees the utility has billed the owner for a deposit, disconnect, reconnect, late payment, or other similar fee. Texas law does not allow property owners to profit from allocated billing by adding extra fees or hidden charges to water and wastewater bills.

What about water or wastewater that is used outside dwelling units in common areas?

Common areas include pools, laundry rooms, and installed irrigation systems for landscaping. Before applying the selected allocation method, the owner must first subtract charges related to common areas, as required by PUCT rules.

What records must be made available to me concerning allocated service?

The PUCT rules require property owners to make the following billing records available to you for inspection at the manager's office during normal business hours. The owner or manager may ask you to submit a written request to view this information. Records routinely kept at the on-site manager's office should be made available within three days.

Records routinely kept elsewhere must be made available within 15 days of receiving your written request. If there is no on-site manager's office, the owner must make copies of requested information available at your dwelling unit, at a time agreed to by you, within 30 days of receiving your written request.

Information that must be made available to you includes:

- Statute that allows owners to bill tenants for water and wastewater service (Texas Water Code, Chapter 13, Subchapter M),
- PUCT rules that regulate this practice [16 TAC, Chapter 24, Subchapter H],
- Rates charged to the property by the utility,
- Bills from the utility to the property,
- Data on occupancy and square footage used to calculate allocated bills,
- Calculations showing deductions for common areas (if applicable),
- Total amount billed to tenants each month for water/wastewater,
- Total amount collected from tenants each month for water/wastewater,
- Any other information you may need to calculate and verify your water/wastewater bill, and
- Conservation tips.

What information must be included on my allocated bill?

- Tenant's name and address,

- Amount due for dwelling unit base charge or customer service charge, or both, if applicable,
- Amount due for water and/or wastewater,
- Payment due date,
- Name of the retail public utility and a statement that the bill is not from the retail public utility,
- Name of the billing company, if applicable,
- Name, address, and telephone number of the party to whom payment is to be made, and
- Name or title, address, and phone number of the company or person to be contacted about a dispute.

How do I dispute an allocated bill?

Disputes about the calculation of your bill are between you and the property owner. You are encouraged to file billing disputes in writing with the person identified on your bill to contact about disputes—usually the owner, the on-site manager, or a billing company. The owner or designated person must then investigate the dispute and report the results of the investigation to you in writing.

The investigation and report must be completed within 30 days from the date you provide written notification. If you find that a PUCT rule has been violated, please document your findings and contact the PUCT at the address provided at the end of this publication.

When is my allocated bill due?

Your bill is due on receipt. Your payment will be considered late if it is not received within 16 days after the bill is mailed or hand-delivered to you.

Can my water or wastewater service be disconnected for nonpayment?

No, your service cannot be disconnected for nonpayment.

Can the owner or allocated service provider change the way I am billed?

No, not unless:

- The owner gives you notice of the proposed change at least 35 days prior to implementing the new method,
- Your existing lease expired, or you are willing to sign a new lease before the current lease expires, and
- You agreed to the change by signing a lease or other written agreement.

For more information

This guide summarizes only some of the PUCT rules regarding allocated billing. A property owner must be familiar with, and comply with, all applicable state laws and rules. Tenants are encouraged to refer to those sources for additional, detailed information.

Violations of PUCT rules should be documented in writing and sent to: Public Utility Commission of Texas, Water Utilities Division, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.