



Control Number: 43931



Item Number: 3

Addendum StartPage: 0

APPEAL OF M.E.N. WATER §
SUPPLY CORPORATION, ANGUS §
WATER SUPPLY CORPORATION, §
CHATFIELD WATER SUPPLY §
CORPORATION, CORBET WATER §
SUPPLY CORPORATION, AND §
CITY OF KERENS TO REVIEW §
THE 2014 WHOLESALE WATER §
RATE INCREASE OF THE CITY OF §
CORSICANA, TEXAS §

BEFORE THE

PUBLIC UTILITY COMMISSION

OF TEXAS

NAVARRO COUNTY WHOLESALE RATEPAYERS' FIRST SUPPLEMENT TO PETITION
TO APPEAL WATER RATES AND REQUEST FOR INTERIM RATES

NOW COMES M.E.N. Water Supply Corporation, Angus Water Supply Corporation, Chatfield Water Supply Corporation, Corbet Water Supply Corporation, and the City of Kerens, Texas (the "Ratepayers"), Petitioners, and file this supplement to their Petition challenging the City of Corsicana, Texas' ("Corsicana" or the "City") latest increase to its wholesale water rates that was filed on December 9, 2014. In support of its Petition and request for interim rates, the Ratepayers respectfully show as follows.

On September 8, 2014, Corsicana passed Ordinance No. 2819 amending Chapter 13 of the City's Code of Ordinances to increase its wholesale water rates. On September 9, 2014, Corsicana sent a notice letter to each of the Ratepayers, via certified mail, return receipt requested, informing them of the rate increase. *See Exhibit A* - Corsicana's letter to each Ratepayer. The Ratepayers received those letters at different times, but the earliest that any Ratepayer received the notice letter was September 11, 2014. *See Exhibit B* - USPS Tracking Sheets.

On December 9, 2014, Ratepayers filed their Petition to Appeal the 2014 Wholesale Water Rate Increase of the City of Corsicana, Texas. A petitioner must institute a rate challenge under TEX.

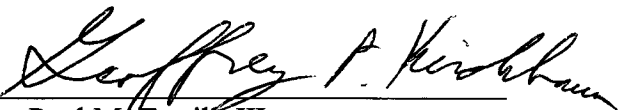
WATER CODE § 13.043(f) within 90 days after the date notice is received from the water provider of the decision affecting rates. As the Petition states, the Ratepayers received notice of Corsicana's decision affecting the wholesale contract customer rate after Corsicana mailed the notice letter dated September 9, 2014. Since the earliest that any Ratepayer received a copy of the letter was September 11, 2014, the Ratepayer's Petition is timely as it was filed 89 days from the date the first Ratepayer received notice.

Prayer

WHEREFORE, PREMISES CONSIDERED, the Ratepayers pray that the Public Utility Commission enter an Order vacating Corsicana's unjust, unreasonable, prejudicial, preferential, and discriminatory wholesale water rates, establish interim rates until a final decision is made, and set final non-preferential, non-prejudicial, non-discriminatory, just and reasonable wholesale water rates to be charged by Corsicana for the wholesale of state-owned water under its control. Further, the Ratepayers pray for any such other and further relief to which they may show themselves legally or equitably entitled.

Respectfully submitted,

THE TERRILL FIRM, P.C.

By: 

Paul M. Terrill, III
State Bar No. 00785094
Schuyler B. Marshall
State Bar No. 24055910
Geoffrey P. Kirshbaum
State Bar No. 24029665
810 W. 10th Street
Austin, Texas 78701
(512) 474-9100
(512) 474-9888 (fax)

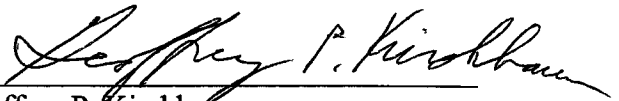
ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2014, a true and correct copy of the foregoing *Navarro County Wholesale Ratepayers' 1st Supplement Petition to Appeal Water Rate and Request for Interim Rates*, was delivered, as specified below, to the following parties of record:

Mayor Chuck McClanahan
City of Corsicana
200 North 12th Street
Corsicana, TX 75110

via CM/RRR # 7108 1853 1570 0000 0217



Geoffrey P. Kirshbaum

EXHIBIT

A



CITY OF CORSICANA, TEXAS

September 9, 2014

Corbet Water Supply
1724 FM RD 2425
Corsicana, TX 75110

RE: Water Rate Change Notification – Increase in Water Fee
Via USPS Certified Mail, No. 70132630000097801926

Dear Wholesale Customer:

This letter is official notification of a water rate change adopted by the City Council on September 8, 2014. This rate change is effective December 1, 2014 and will impact the December 2014 billing(s). A copy of the new rates has been enclosed.

This official notification complies with the contractual requirement for notice (30 day rate adjustment notice). Please direct any questions regarding this matter to me at 903-654-4889 or the City Manager, Ms. Connie Standridge at 903-654-4803.

Sincerely,

Charles H. Leist II, P.E.
Environmental Services Director

Cc: Connie Standridge, City Manager
Virginia Richardson, Finance Director
Sherry Gullatt, Utility Billing

enclosures



CITY OF CORSICANA, TEXAS

September 9, 2014

Angus Water Supply
212 FM RD 739
Corsicana, TX 75109

RE: Water Rate Change Notification – Increase in Water Fee
Via USPS Certified Mail, No. 70132630000097800295

Dear Wholesale Customer:

This letter is official notification of a water rate change adopted by the City Council on September 8, 2014. This rate change is effective December 1, 2014 and will impact the December 2014 billing(s). A copy of the new rates has been enclosed.

This official notification complies with the contractual requirement for notice (30 day rate adjustment notice). Please direct any questions regarding this matter to me at 903-654-4889 or the City Manager, Ms. Connie Standridge at 903-654-4803.

Sincerely,

A handwritten signature in dark ink, appearing to be "CHL", is written over the printed name of Charles H. Leist II.

Charles H. Leist II, P.E.
Environmental Services Director

Cc: Connie Standridge, City Manager
Virginia Richardson, Finance Director
Sherry Gullatt, Utility Billing

enclosures



CITY OF CORSICANA, TEXAS

September 9, 2014

Chatfield Water Supply
P.O. Box 158
Powell, TX 75153-0158

RE: Water Rate Change Notification – Increase in Water Fee
Via USPS Certified Mail, No. 70132630000097801902

Dear Wholesale Customer:

This letter is official notification of a water rate change adopted by the City Council on September 8, 2014. This rate change is effective December 1, 2014 and will impact the December 2014 billing(s). A copy of the new rates has been enclosed.

This official notification complies with the contractual requirement for notice (30 day rate adjustment notice). Please direct any questions regarding this matter to me at 903-654-4889 or the City Manager, Ms. Connie Standridge at 903-654-4803.

Sincerely,

A handwritten signature in black ink, appearing to be "C. Leist", is written over the word "Sincerely,".

Charles H. Leist II, P.E.
Environmental Services Director

Cc: Connie Standridge, City Manager
Virginia Richardson, Finance Director
Sherry Gullatt, Utility Billing

enclosures



CITY OF CORSICANA, TEXAS

September 9, 2014

City of Kerens
P.O. Drawer 160
Kerens, TX 75144

RE: Water Rate Change Notification – Increase in Water Fee
Via USPS Certified Mail, No. 70132630000097802008

Dear Wholesale Customer:

This letter is official notification of a water rate change adopted by the City Council on September 8, 2014. This rate change is effective December 1, 2014 and will impact the December 2014 billing(s). A copy of the new rates has been enclosed.

This official notification complies with the contractual requirement for notice (30 day rate adjustment notice). Please direct any questions regarding this matter to me at 903-654-4889 or the City Manager, Ms. Connie Standridge at 903-654-4803.

Sincerely,

Charles H. Leist II, P.E.
Environmental Services Director

Cc: Connie Standridge, City Manager
Virginia Richardson, Finance Director
Sherry Gullatt, Utility Billing

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RECEIVED SEP 15 2014



CITY OF CORSICANA, TEXAS

September 9, 2014

M.E.N. Water Supply
P.O. Box 3019
Corsicana, TX 75151-3019

RE: Water Rate Change Notification – Increase in Water Fee
Via USPS Certified Mail, No. 70132630000097801933

Dear Wholesale Customer:

This letter is official notification of a water rate change adopted by the City Council on September 8, 2014. This rate change is effective December 1, 2014 and will impact the December 2014 billing(s). A copy of the new rates has been enclosed.

This official notification complies with the contractual requirement for notice (60 day rate adjustment notice). Please direct any questions regarding this matter to me at 903-654-4889 or the City Manager, Ms. Connie Standridge at 903-654-4803.

Sincerely,

A handwritten signature in black ink, appearing to be "C. Leist II", written over a horizontal line.

Charles H. Leist II, P.E.
Environmental Services Director

Cc: Connie Standridge, City Manager
Virginia Richardson, Finance Director
Sherry Gullatt, Utility Billing

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CITY OF CORSICANA, TEXAS

**CHAPTER 13
FEES AND COST OF SERVICES**

THE FOLLOWING SHALL BE THE SCHEDULE OF FEES AND COST OF SERVICES

<u>DIVISION</u>	<u>TYPE</u>	<u>RATE</u>	<u>PER (UNIT)</u>	<u>OTHER INFORMATION</u>
UTILITIES - WATER AND WASTEWATER				
NEW RATES WILL BE EFFECTIVE 12/01/2014				
	After Hours Turn On Fee	30.00	Each	
	Class I - Residential and Commercial (Inside City Limits)	17.00	5/8" OR 3/4"	First 1,000 gals + Volumetric Use
		17.00	5/8" OR 3/4"	Age 85 & older-3,000 gals + Volumetric Use single family residence only
		28.49	1"	First 1,000 gals + Volumetric Use
		52.62	1 1/2"	First 1,000 gals + Volumetric Use
		84.12	2"	First 1,000 gals + Volumetric Use
		157.85	3"	First 1,000 gals + Volumetric Use
		263.30	4"	First 1,000 gals + Volumetric Use
		526.06	6"	First 1,000 gals + Volumetric Use
		947.13	8"	First 1,000 gals + Volumetric Use
		1,356.42	10"	First 1,000 gals + Volumetric Use
				Volumetric Rate
				1-10,000 gals - \$3.45/per 1,000 gals
				10,001 - 25,000 gals - \$3.60/per 1,000 gals
				25,000 + gals - \$3.70/per 1,000 gals
	Class II - Residential and Commercial (Outside City Limits)	19.36	5/8" OR 3/4"	First 1,000 gals + Volumetric Use
		32.30	1"	First 1,000 gals + Volumetric Use
		64.20	1 1/2"	First 1,000 gals + Volumetric Use
		102.82	2"	First 1,000 gals + Volumetric Use
		192.93	3"	First 1,000 gals + Volumetric Use
		321.80	4"	First 1,000 gals + Volumetric Use
	Wholesale Contract Customers	Same as Class I	Same as Class I	Up to contract limit @ Volumetric Rate; after contract limit - \$3.76 per 1,000 gals
	Commercial Wastewater Rates	18.00	5/8" - 3/4"	Plus \$4.00/per 1,000 gals
		40.00	>3/4"	Plus \$4.00/per 1,000 gals
	Residential Wastewater Rates	18.00	5/8" - 2"	Plus \$4.00 per 1,000 gal. up to 12,000 gal.
		40.00	>2"	Plus \$4.00 per 1,000 gal. up to 12,000 gal.
	Multi-Family Rates			80% Base Rate of meter x 80% of units + Volumetric Use
	Customer Deposit	100.00	Residential	Plus \$10/trip charge
		150.00	Commercial	Plus \$10/trip charge
		250.00	Industrial	Plus \$10/trip charge
		1,000.00	Fire Hydrant	Plus water usage
	Tampering, Damaged, Broken Lock	100.00	Per Incident	Damaged or broken lock plus cost of replacement and possible prosecution
		100.00	Per MXU	If MXU must be replaced plus cost of replacement and possible prosecution
	Late Penalty	10%	Unpaid balance	

CITY OF CORSICANA, TEXAS

CHAPTER 13
FEES AND COST OF SERVICES

THE FOLLOWING SHALL BE THE SCHEDULE OF FEES AND COST OF SERVICES

DIVISION	TYPE	RATE	PER (UNIT)	OTHER INFORMATION
	Meter Calibration	15.00 30.00	Per general calibration test Certified meter calibration test	
	Cut-off List - Fee	25.00	Each	
	Trip Charge	10.00	Per trip	
	Sewer Tap Fee	700.00 500.00 800.00 800.00	Per tap Per tap Per tap Per tap	6" or less with street cut 6" or less without street cut Larger than 6" with street cut Larger than 6" without street cut
	Water Tap Fee	300.00 850.00 1,050.00 900.00 1,100.00 1,200.00 1,400.00 1,350.00 1,550.00	3/4" with existing tap 3/4" tap 3/4" tap 1" tap 1" tap 1 1/2" tap 1 1/2" tap 2" tap 2" tap	Without street cut With street cut Without street cut With street cut Without street cut With street cut Without street cut With street cut
	Moderate Drought Surcharges Residential	2.00 5.00	Per 1,000 Gallons Per 1,000 Gallons	Usage in excess of 7,000 gallons Usage in excess of 10,000 gallons
	Wholesale Water Systems	2.00 5.00	Per 1,000 Gallons Per 1,000 Gallons	Usage in excess of 7,000 gallons per meter based upon # of connections reported to TCEQ Usage in excess of 10,000 gallons per meter based upon # of connections reported to TCEQ
	Irrigation Meters	2.00 5.00 7.00	Per 1,000 Gallons Per 1,000 Gallons Per 1,000 Gallons	Usage 0-10,000 gallons Usage 10,000 - 20,000 gallons Usage 20,000 gallons or more
	Severe Drought Surcharges Residential	2.00 5.00 10.00	Per 1,000 Gallons Per 1,000 Gallons Per 1,000 Gallons	Usage in excess of 5,000 gallons Usage in excess of 7,000 gallons Usage in excess of 10,000 gallons
	Commercial Surcharge per Connection	100.00	Per meter	
	Wholesale Water Systems	2.00 5.00 10.00	Per 1,000 Gallons Per 1,000 Gallons Per 1,000 Gallons	Usage in excess of 5,000 gallons per meter based upon # of connections reported to TCEQ Usage in excess of 7,000 gallons per meter based upon # of connections reported to TCEQ Usage in excess of 10,000 gallons per meter based upon # of connections reported to TCEQ
	Tap Inspection	25.00	Each	
	Industrial Pretreatment (Permit Fee)	100.00 250.00	Permit Fee Permit Fee	Minor User Significant and Categorical User (permits valid for 5 years)
	Industrial Pretreatment (Inspection Fee)	30.00 60.00	Inspection Fee Inspection Fee	Minor User Significant and Categorical User

CITY OF CORSICANA, TEXAS

CHAPTER 13

FEES AND COST OF SERVICES

THE FOLLOWING SHALL BE THE SCHEDULE OF FEES AND COST OF SERVICES

<u>DIVISION</u>	<u>TYPE</u>	<u>RATE</u>	<u>PER (UNIT)</u>	<u>OTHER INFORMATION</u>
Industrial Pretreatment (Fees for Sampling and Testing)		30.00	B.O.D.	Fees for Sampling and Testing
		17.00	T.S.S.	Fees for Sampling and Testing
		15.00	pH/temp	Fees for Sampling and Testing
		23.00	C.O.D.	Fees for Sampling and Testing
		23.00	Ammonia	Fees for Sampling and Testing
		50.00	Fats, Oil & Grease	Fees for Sampling and Testing
		100.00	Petroleum Based Oil	Fees for Sampling and Testing
		40.00	Trip Charge	Fees for Sampling and Testing
		160.00	Equipment Rental	Fees for Sampling and Testing
		25.00	Per Hr/1 Hr Minimum	Fees for Labor to Sample and Inspect
Industrial Pretreatment (Outside Lab Charges)		-	Outside Lab Charges	The actual fees, as charged to the City for outside laboratory services relating to an Industrial User, will be passed on to the Industrial User. All other related costs as required to collect, preserve, ship, etc., will also be charged to the Industrial User.
Industrial Pretreatment (Industrial Waste Surcharges)		0.12	per lb. (B.O.D.)	In excess of the industry's wastewater discharge permit limit. (Biochemical Oxygen Demand)
		0.12	per lb. (T.S.S.)	In excess of the industry's wastewater discharge permit limit. (Total Suspended Solids)
		0.12	per lb. (C.O.D.)	In excess of the industry's wastewater discharge permit limit. (Chemical Oxygen Demand)
		1.00	per lb. (F.O.G.)	In excess of 100 mg/l (Fats, Oils and Grease)
Irrigation Permit		40.00	Permit	
		10.00	Connection Fee	
Temporary Water Fee		25.00 + Usage	Temporary for residents	
Service Transfer Fee		15.00	Per transfer	Transfer of service
Backflow Prevention Fees Backflow Assembly Testing		80.00	Each	Per each Backflow Assembly tested at site
		80.00	Each	Per each Backflow Assembly retested after repairs or maintenance
Backflow Assembly Ratest Registration Fee		16.00	Each	Initial Fee to register each new non-residential unit with the City
Backflow Tester Registration		26.00	Individual	Tester must register with City of Corsicana
Backflow Assembly Inspection		26.00	Each	Basic inspection to verify proper operation

EXHIBIT

B



CORBET WSC

USPS Tracking™

Customer Service ›
Have questions? We're here to help.

Tracking Number: 7013263000097801926

Updated Delivery Day: Thursday, September 11, 2014

Product & Tracking Information

Available Actions

Postal Product:

Features:
Certified Mail™

Return Receipt After Mailing

DATE & TIME	STATUS OF ITEM	LOCATION
September 11, 2014 , 1:32 pm	Delivered	CORSICANA, TX 75110

Your item was delivered at 1:32 pm on September 11, 2014 in CORSICANA, TX 75110.

September 11, 2014 , 8:24 am	Arrived at Unit	CORSICANA, TX 75110
September 10, 2014 , 4:56 pm	Picked Up	CORSICANA, TX 75110

Track Another Package

Tracking (or receipt) number

Track It

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ANGUS WSC

USPS Tracking™



Customer Service ›

Have questions? We're here to help.

Tracking Number: 70132630000097800295

Updated Delivery Day: Thursday, September 11, 2014

Product & Tracking Information

Available Actions

Postal Product:

Features:
Certified Mail™

Return Receipt After Mailing

DATE & TIME	STATUS OF ITEM	LOCATION
September 12, 2014, 1:55 pm	Delivered	CORSICANA, TX 75110

Your item was delivered at 1:55 pm on September 12, 2014 in CORSICANA, TX 75110.

September 11, 2014, 1:39 pm	Business Closed	CORSICANA, TX 75110
September 11, 2014, 8:19 am	Out for Delivery	CORSICANA, TX 75110
September 11, 2014, 8:09 am	Sorting Complete	CORSICANA, TX 75110
September 11, 2014, 7:18 am	Arrived at Unit	CORSICANA, TX 75110
September 11, 2014, 5:11 am	Departed USPS Facility	DALLAS, TX 75260
September 11, 2014, 12:55 am	Arrived at USPS Origin Facility	DALLAS, TX 75260
September 10, 2014, 11:11 pm	Arrived at USPS Origin Facility	COPPELL, TX 75099
September 10, 2014, 4:56 pm	Picked Up	CORSICANA, TX 75110

Track Another Package

Tracking (or receipt) number

Track It



CHATFIELD WSC

USPS Tracking™

Customer Service ›
Have questions? We're here to help.

Tracking Number: 70132630000097801902

Updated Delivery Day: Friday, September 12, 2014

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Available Actions

Return Receipt After Mailing

DATE & TIME	STATUS OF ITEM	LOCATION
September 11, 2014, 11:07 am	Delivered	POWELL, TX 75153
Your item was delivered at 11:07 am on September 11, 2014 in POWELL, TX 75153.		
September 11, 2014, 10:16 am	Available for Pickup	POWELL, TX 75153
September 11, 2014, 10:15 am	Arrived at Unit	POWELL, TX 75153
September 11, 2014, 5:11 am	Departed USPS Facility	DALLAS, TX 75260
September 11, 2014, 12:55 am	Arrived at USPS Origin Facility	DALLAS, TX 75260
September 10, 2014, 4:56 pm	Acceptance	CORSICANA, TX 75110

Track Another Package

Tracking (or receipt) number

Track It



CITY OF KERENS

USPS Tracking™

Customer Service ›
Have questions? We're here to help.

Tracking Number: 7013263000097802008

Updated Delivery Day: Thursday, September 11, 2014

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Available Actions

Return Receipt After Mailing

DATE & TIME	STATUS OF ITEM	LOCATION
September 11, 2014, 9:26 am	Delivered	KERENS, TX 75144

Your item was delivered at 9:26 am on September 11, 2014 in KERENS, TX 75144.

September 11, 2014, 8:17 am	Out for Delivery	KERENS, TX 75144
September 11, 2014, 8:07 am	Sorting Complete	KERENS, TX 75144
September 11, 2014, 7:41 am	Arrived at Unit	KERENS, TX 75144
September 11, 2014, 5:11 am	Departed USPS Facility	DALLAS, TX 75260
September 11, 2014, 12:55 am	Arrived at USPS Origin Facility	DALLAS, TX 75260
September 10, 2014, 4:56 pm	Acceptance	CORSICANA, TX 75110

Track Another Package

Tracking (or receipt) number

Track It



MEN WSC

USPS Tracking™

Customer Service ›
Have questions? We're here to help.

Tracking Number: 70132630000097801933

Updated Delivery Day: Thursday, September 11, 2014

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
September 22, 2014 , 2:56 pm	Delivered	CORSICANA, TX 75110

Available Actions

Return Receipt After Mailing

Your item was delivered at 2:56 pm on September 22, 2014 in CORSICANA, TX 75110.

September 12, 2014 , 9:00 am	Available for Pickup	CORSICANA, TX 75110
September 11, 2014 , 7:22 am	Available for Pickup	CORSICANA, TX 75151
September 11, 2014 , 7:18 am	Arrived at Unit	CORSICANA, TX 75110
September 11, 2014 , 5:11 am	Departed USPS Facility	DALLAS, TX 75260
September 11, 2014 , 12:55 am	Arrived at USPS Origin Facility	DALLAS, TX 75260
September 10, 2014 , 11:11 pm	Arrived at USPS Origin Facility	COPPELL, TX 75099
September 10, 2014 , 4:56 pm	Picked Up	CORSICANA, TX 75110

Track Another Package

Tracking (or receipt) number

Track It