



Control Number: 44322



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DOCKET NO. 44322

PUBLIC UTILITY COMMISSION
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REQUEST OF YES PREP PUBLIC §
SCHOOLS FOR EMERGENCY ORDER §
TO OBTAIN WATER SERVICE FROM §
SUNBELT FRESH WATER SUPPLY §
DISTRICT §

PUBLIC UTILITY COMMISSION
OF TEXAS

STATEMENT OF PAYMENT

This Statement of Payment addresses the payment of funds by YES Prep Public Schools, Inc. (YES Prep) to Suburban Utility CO (Suburban), in accordance with Settlement Agreement between YES Prep and Suburban.

I. PROCEDURAL BACKGROUND

1. On January 15, 2015, YES Prep filed an application (Application) with the Public Utility Commission of Texas (Commission) for the issuance of an emergency order pursuant to 16 TEX. ADMIN. CODE § 24.14 to allow YES Prep to receive water service from Sunbelt Fresh Water Supply District's (Sunbelt FWSD), rather than its current water provider Suburban because Suburban was not providing continuous and adequate service.
2. On January 16, 2015, the Commission Administrative Law Judge (ALJ) issued Order No. 1, requiring Staff to file a response to the Application by January 22, 2015, including comments regarding sufficiency of the Application and propose a procedural schedule for processing this Application.
3. On January 22, 2015, Staff filed a response to Order No. 1, noting that Staff was in contact with YES Prep and Sunbelt FWSD and was working to ascertain additional details regarding the Application.
4. On January 27, 2015, YES Prep amended the Application (Amended Application) for an emergency order and later filed copies of the minutes of Sunbelt FWSD December 4, 2014 meeting indicating that Sunbelt FWSD would serve YES Prep upon a showing of proper documentation.

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5. On January 29, 2015, Suburban filed its response to YES Prep's Amended Application. Suburban disagreed with Yep Prep's allegations regarding the lack of continuous and adequate service.
6. On January 30, 2015, the Commissioners continued the matter until the February 12, 2015 Open Meeting to allow Staff time to provide its recommendation after consideration of the Amended Application and response.
7. Staff filed its Second Response to Order No.1 on February 4, 2015.
8. On February 9, 2015, representatives of and counsel for Suburban, YES Prep, Sunbelt FWSD, and Commission Staff conducted settlement discussions. As a result of the settlement discussions, Suburban, YES Prep, and PUC filed a Joint Motion of Continuance with the PUC Commissioners.
9. The PUC Commissioners did not take any action on the Application at the February 12, 2015 Open Meeting.
10. On February 25, 2015, representatives of Suburban, YES Prep, and Commission Staff filed an agreed motion to admit evidence and a Settlement Agreement executed by the parties, and unopposed by Staff, resolving all issues relating to the provision of water service by Suburban to YES Prep's North Central Campus in this proceeding..
11. On February 26, 2015, Order No. 2 was issued granting the motion to admit evidence.
12. On March 6, 2015, the Emergency Order requested by YES Prep was approved by the PUC Commissioners at an Open Meeting.
13. On March 17, 2015, the Emergency Order requested by YES Prep was executed by the PUC Commissioners.

II. STATEMENT OF PAYMENT

1. YES Prep provided Suburban with an initial payment of sixteen thousand two hundred and fifty and no/100 dollars (\$16,250) via Federal Express delivery on March 13, 2015 in accordance with Ordering Paragraph 6 of the Emergency Order and Section 2.02 of the unopposed Settlement Agreement entered into by YES Prep and Suburban and filed with

the Commission. Attached hereto as Exhibit A is the Shipment Receipt from Federal Express

DATED: April 8, 2015

Respectfully Submitted,

YES PREP PUBLIC SCHOOLS

A handwritten signature in black ink, appearing to read "Ty Embrey", written over a horizontal line.

Ty H. Embrey
Lloyd, Gosselink, Rochelle, and Townsend, PC
816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5829
(512)-472-0532 (facsimile)

EXHIBIT A – FEDERAL EXPRESS SHIPMENT RECEIPT



Shipment Receipt

Address Information

Ship to:
 Mitchell M Martin, Jr,
 President
 Suburban Utility CO
 27493 Hanna Rd #2
 CONROE, TX
 77385
 US
 2813674065

Ship from:
 Luz Tavera
 YES Prep Public Schools
 6201 BONHOMME RD
 Suite 168N
 HOUSTON, TX
 770364427
 US
 7139679001

Shipment Information:

Tracking no.: 773114236386
 Ship date: 03/12/2015
 Estimated shipping charges: 21.47

Package Information

Pricing option: FedEx Standard Rate
 Service type: Priority Overnight
 Package type: FedEx Envelope
 Number of packages: 1
 Total weight: 0.50 LBS
 Declared Value: 0.00 USD
 Special Services:
 Pickup/Drop-off: Use an already scheduled pickup at my location

Billing Information:

Bill transportation to: YES Prep Public Schools-579
 Your reference: Nicole Montgomery
 P.O. no.:
 Invoice no.:
 Department no.:

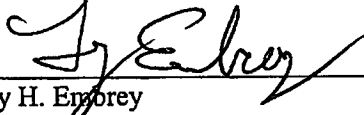
Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Verbal claims must be filed within strict time limits. Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheet for details on how shipping charges are calculated.

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on
April 8, 2015, in accordance with P.U.C. Procedural Rule 22.74.



Ty H. Embrey