



Control Number: 44485



Item Number: 22

Addendum StartPage: 0

**SOAH DOCKET NO. 473-15-3743.WS
PUC DOCKET NO. 44485**

**RATEPAYERS' APPEAL OF THE
DECISION BY THE CITY OF WILMER
TO CHANGE RATES**

§
§
§

**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

2015 AUG 21 AM 9:13

PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S THIRD REQUEST FOR
INFORMATION TO CITY OF WILMER (WILMER)
QUESTION NOS. STAFF 3-1 THROUGH STAFF 3-18**

Pursuant to 16 Tex. Admin. Code (TAC) § 22.144, the Staff of the Public Utility Commission of Texas (Staff) requests that the City of Wilmer (Wilmer) by and through its attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

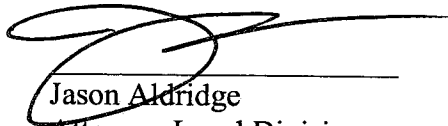
Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

Dated: August 21, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

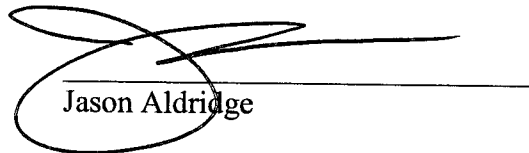
Shelah J. Cisneros
Managing Attorney-Legal Division



Jason Aldridge
Attorney-Legal Division
State Bar No. 24089911
(512) 936-7255
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 21, 2015 in accordance with 16 TAC § 22.74.



Jason Aldridge

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DEFINITIONS

- 1) "Wilmer", "the Company" or "you" refers to the City of Wilmer and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do not exist and these documents will be provided.

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INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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- Staff 3-1 Did ordinance 14-1120A go in to effect for **any** rate payers, either customers inside Wilmer city limits or customers outside Wilmer city limits?
- Staff 3-2 If so, how many customers had their rates changed under ordinance 14-1120A?
- Staff 3-3 How many of the customers identified in response to Question 2 are eligible to appeal the increase pursuant to TWC § 13.043(b)?
- Staff 3-4 Was notice provided to **any** customers affected by ordinance 14-1120A?
- Staff 3-5 When was that notice provided?
- Staff 3-6 Please provide a copy of the notice provided.
- Staff 3-7 Admit or deny that customers outside the City of Wilmer are affected by a base rate change to the inside Wilmer customer's rates.
- Staff 3-8 Please provide customer bills representative of all classes of customers living **inside** the city of Wilmer for the period beginning October, 2014 through the latest billing cycle. (Commercial, residential, apartment and/or trailer if applicable) Responses to this question may be filed confidentially or redacted to protect customer information such as account numbers.
- Staff 3-9 Please provide customer bills representative of all classes of customers living **outside** the city of Wilmer for the period beginning October, 2014 through the latest billing cycle. (Commercial, residential, apartment and/or trailer if applicable) Responses to this question may be filed confidentially or redacted to protect customer information such as account numbers.
- Staff 3-10 Please provide a copy of the ordinance in effect prior to ordinance 14-1120A.
- Staff 3-11 How many rate payers were reclassified (i.e. had their classification changed from in-city to outside-city) during the years 2014 and 2015?
- Staff 3-12 Please provide a list of all rate payers reclassified during the years 2014 and 2015?
- Staff 3-13 Provide any correspondence relating to the reclassification of any customers during the years 2014 and 2015.

- Staff 3-14 If the 5 named rate payers (See City of Wilmer's response to Staff's RFI Question 10, "Five ratepayers outside the city limits were adjusted from \$12 to \$24 base service charge which is the same as the original (old) fee schedule but were not being charged the appropriate base fee.") were re-classified as being in-city does the city admit that **as to these ratepayers** a change in rates has occurred?
- Staff 3-15 If so, what date did their rate change become effective?
- Staff 3-16 Was notice provided to all reclassified customers?
- Staff 3-17 Please provide a copy of the notice in Q 15.
- Staff 3-18 When does city consider the deadline for these ratepayers to appeal the rate change?