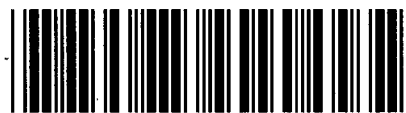


Control Number 46245



Item Number 59

Addendum StartPage 0

Byrom J Smith, III

RECEIVED

200 Oyster Bay - Graford, Texas 76449
(940) 779-4325 home + (214) 679-8275 cell
juds@adventsupply.com

2016 AUG 18 AM 10: 53

PUBLIC UTILITY COM. DIS. DIV.
FILING CLERK

August 13, 2016

Attn: Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Gentlemen:

Enclosed are the required ten (10) copies of my Ratepayer Protest form concerning P.U.C. Docket No. 46245 and the water and sewer rate increases proposed by Double Diamond Utilities Company of Dallas, Texas servicing The Cliffs Resort on Possum Kingdom Lake to be effective October 1, 2016.

These proposed rate increases are egregious. The proposal for the water Base Rate increase is + 38 %. The 0-3,000 gallon rate is a + 35 % increase and the 3,001 – 10,000 gallon increase is + 33 %. Usage at 10,001 – 15,000 sees the rate go up + 28 %. How can this possibly be justified?

The proposed rate increases for sewer are just as onerous. They want the sewer Base Rate to go from \$ 49.37 to \$ 72.00, an outrageous + 46 % increase. For every thousand gallons processed above the minimum of 3,000 gallons, they want the rate to go from \$ 8.25 to \$ 12.00, an almost equally high + 45 % increase.

In their notice of proposed rate change, Double Diamond's Billing Comparison is totally misleading and does not reflect what actual usage charges would be. As an example, I have enclosed my latest invoice from Double Diamond for water services from 6/27/16 to 7/27/16 (sic). During that period our household consumed 14,220 gallons of water. The water amount was \$ 86.34 and the sewer amounted to \$49.37 for a total bill of \$ 137.07. already high by most municipal standards. If the new rates were in effect and we had water/sewer usage at this level, our water bill would be \$ 149.00 and our sewer bill would be \$ 72.00 for a total of \$ 217.00. This amounts to an increase of \$ 80.00 for the month or an incredible + **58 % increase!**

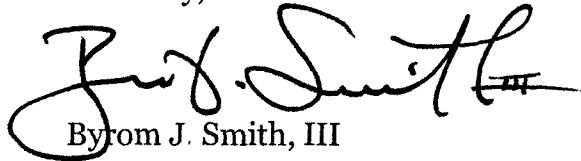
In addition to these incredible increases, Double Diamond is proposing what they call a Rate Case Expense Surcharge which is to be determined. What it appears they are trying to do is pass on their costs to defend themselves in a rate case hearing caused by protest. Absurdly, they want the ratepayer to pay for their legal costs to defend indefensible rate increases.

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Additional information that the P.U.C. and the TCEQ need to know is this water system being run by Double Diamond is an absolute disaster. The infrastructure used to deliver water and sewer services to ratepayers on their system is woefully constructed and experiences multiple failures on a regular basis. Our water pressure ranges between 50 psi and zero. We have experienced at least a dozen breaks in the water delivery lines this year alone and may set a new record for needed repairs in the current calendar year. We experience regular periods of no water delivery for up to six hours at a time. Over the Independence Day holiday, we were out of water or had little or no pressure for nearly fourteen hours. Every time the water pressure dips below the required minimum we have to boil our water for a specified period to remove harmful bacteria and contaminants. This procedure has happened a half a dozen times since the first of the year alone and is not only horribly inconvenient but patently unsafe.

I would encourage the TCEQ to look into the practices and procedures of Double Diamond and initiate some kind of investigation into the crumbling infrastructure of their system which utilizes the water from Possum Kingdom Lake. Double Diamond is claiming that the 'current rates [are] not providing adequate recovery of revenue requirements. If these proposed rate increases or any rate increases are approved, I sincerely hope that Double Diamond will be monitored closely to ensure that the money goes into permanently repairing and improving the infrastructure and not into Double Diamond's pocket.

Sincerely,

A handwritten signature in black ink, appearing to read "Byron J. Smith, III". The signature is fluid and cursive, with a large initial "B" and "S".

Byron J. Smith, III

P.U.C. DOCKET NO. 46245

RATEPAYER PROTEST

If you wish to PROTEST the proposed rate change, you must submit this form and 10 copies to:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Unless protests are received from at least 10% of ratepayers or from any affected municipality, or the Commission Staff requests a hearing, no hearing will be held and the rates will be effective as proposed.

CUSTOMER INFORMATION (to be completed by customers submitting protests)

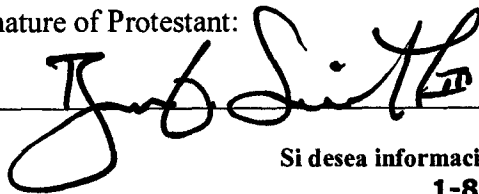
First Name: BYROM Last Name: SMITH
Phone Number: (940) 779-4325 Fax Number: (940) 779-4327
Address, City, State: 200 OYSTER BAY GRAFORD, TX 76449
Location where service is received: 200 OYSTER BAY
(if different from the mailing address)

Please fill out the following:

I wish to PROTEST the following proposed rate action/s:

- Water Rate Change Sewer Rate Change Both Water and Sewer Rate Change
 Other (please specify below)

Signature of Protestor:



Date: 8/14/16

Si desea informacion en Espanol, puede llamar al
1-888-782-8477

Hearing- and speech-impaired individuals with text telephones may contact the PUC's Customer Assistance Hotline at
512-936-7136

NOTICE OF PROPOSED RATE CHANGE – WATER

CURRENT RATES				PROPOSED RATES			
Monthly base rate including _____		_____ 0 gallons		Monthly base rate including _____		_____ 0 gallons	
Meter Size:				Meter Size:			
RESIDENTIAL				RESIDENTIAL			
5/8" or 3/4"	\$	36.14		5/8" or 3/4"	\$	50.00	
1"	\$	90.36		1"	\$	125.00	
1 1/2"	\$	180.72		1 1/2"	\$	250.00	
2"	\$	289.15		2"	\$	400.00	
3"	\$	542.16		3"	\$		
Other:		\$		Other: Rate Case Exp Surcharge-TBD \$			
GALLONAGE CHARGE:				GALLONAGE CHARGE:			
TIER	VOLUME	CHARGE per 1000 gals.		TIER	VOLUME	CHARGE per 1000 gals.	
Tier 1	0 to 3,000 gals.	\$	2.60 /1000 gals.	Tier 1	0 to 3,000 gals.	\$	3.50 /1000 gals.
Tier 2	3,001 to 10,000 gals.	\$	3.00 /1000 gals.	Tier 2	3,001 to 10,000 gals.	\$	4.00 /1000 gals.
Tier 3	10,001 to 15,000 gals.	\$	5.07 /1000 gals.	Tier 3	10,001 to 15,000 gals.	\$	6.50 /1000 gals.
Tier 4	15,001 to 20,000 gals.	\$	8.56 /1000 gals.	Tier 4	15,001 to 20,000 gals.	\$	10.50 /1000 gals.
Tier 5	20,001 to _____ gals.	\$	8.56 /1000 gals.	Tier 5	20,001 to _____ gals.	\$	10.50 /1000 gals.
MISCELLANEOUS FEES				MISCELLANEOUS FEES			
Tap Fee		\$	675.00	Tap Fee		\$	675.00
Reconnect fee: Non-payment		\$	25.00	Reconnect fee: Non-payment (Maximum \$25.00)		\$	25.00
Customer's Request		\$	25.00	Customer's Request		\$	25.00
Transfer Fee		\$	25.00	Transfer Fee		\$	25.00
Late Charge		\$		Late charge: (Indicate either \$5.00 or 10%)		\$	
Returned Check Charge		\$	30.00	Returned Check Charge		\$	30.00
Deposit		\$	0.00	Deposit (Maximum \$50.00)		\$	0.00
Meter test fee		\$	25.00	Meter test fee (Maximum \$25.00)		\$	25.00

Regulatory Assessment of 1% is added to base rate and gallonage charges. Additional fees and meter sizes may be shown on a separate page.

If applicable, list any bill payment assistance programs to low income Ratepayers.

Additional Fees/Clarification to Above Fees:
 Tap Fee - Large Meter is Actual Cost (unchanged)
 Meter Relocation Fee is Actual Relocation Cost, Not to Exceed Tap Fee (unchanged)
 Late Charge is 10% of the bill (unchanged)
 Commercial & Non-residential Deposit is 1/6th of estimated annual bill (unchanged)
 Governmental Testing Inspection and Costs Surcharge (unchanged)
 Line Extension and Construction Charges (unchanged)
 Rate Case Expense Surcharge - TBD (NEW)

NOTICE OF PROPOSED RATE CHANGE –SEWER

CURRENT RATES			PROPOSED RATES		
Monthly base rate including _____ 3,000 gallons			Monthly base rate including _____ 3,000 gallons		
Meter Size:			Meter Size:		
RESIDENTIAL			RESIDENTIAL		
5/8" or 3/4"	\$	49.37	5/8" or 3/4"	\$	72.00
1"	\$	86.29	1"	\$	126.00
1 1/2"	\$	147.83	1 1/2"	\$	216.00
2"	\$	221.67	2"	\$	324.00
3"	\$	393.98	3"	\$	
Other:	\$		Other: Rate Case Exp Surcharge-TBD	\$	
GALLONAGE OR FIXED CHARGE:			GALLONAGE OR FIXED CHARGE:		
\$ _____ 8.25			\$ _____ 12.00		
<input type="checkbox"/> per month; OR			<input type="checkbox"/> per month; OR		
<input checked="" type="checkbox"/> for each additional 1,000 gallons over the minimum.			<input checked="" type="checkbox"/> for each additional 1,000 gallons over the minimum.		
Gallonage charges are determined based on average consumption for winter period which includes the following months: December, January, February			Gallonage charges are determined based on average consumption for winter period which includes the following months: December, January, February		
MISCELLANEOUS FEES			MISCELLANEOUS FEES		
Tap Fee	\$	3,100.00	Tap Fee	\$	3,100.00
Reconnect fee: Non-payment	\$	25.00	Reconnect fee: Non-payment (Maximum \$25.00)	\$	25.00
Customer's Request	\$	40.00	Customer's Request	\$	40.00
Transfer Fee	\$	40.00	Transfer Fee	\$	40.00
Late Charge	\$		Late charge: (Indicate either \$5.00 or 10%)	\$	
Returned Check Charge	\$	20.00	Returned Check Charge	\$	20.00
Deposit	\$	0.00	Deposit (Maximum \$50.00)	\$	0.00
Meter test fee	\$		Meter test fee (Maximum \$25.00)	\$	

Regulatory Assessment of 1% is added to base rate and gallonage charges. Additional fees and meter sizes may be shown on a separate page.

If applicable, list any bill payment assistance programs to low income Ratepayers.

Additional Fees/Clarification to Above Fees:
 Tap Fee - Large Connection is Actual Cost (unchanged)
 Late Charge is 10% of the bill (unchanged)
 Commercial & Non-residential Deposit is 1/6th of estimated annual bill (unchanged)
 Governmental Testing Inspection and Costs Surcharge (unchanged)
 Line Extension and Construction Charges (unchanged)
 There is no meter test fee on the sewer tariff
 Rate Case Expense Surcharge - TBD (NEW)

P.U.C. DOCKET NO. 46245

NOTICE OF PROPOSED RATE CHANGE
PURSUANT TO TEX. WATER CODE § 13.1871

Double Diamond Utility Company, Inc. The Cliffs 12087 (water) 20705 (sewer)

Company Name CCN Number(s)

has filed a rate change application with the Public Utility Commission of Texas (Commission or PUC). The application may be reviewed online at interchange.puc.texas.gov. You may also inspect a copy of the rate change application at your utility's office at the address below or at the Commission's office (1701 N. Congress Ave, Austin, TX 78701). The proposed rates will apply to service received after the effective date provided below, unless modified or suspended by the Commission. If the Commission receives a sufficient number of protests, separately or in a combined protest letter, from at least 29 [number of] ratepayers (10 percent of the utility's customers over whose rates the Commission has original jurisdiction) or from any affected municipality before the 91st day after the proposed effective date, the matter will be set for hearing. See Protest Form on the next page for instructions on how to protest.

EFFECTIVE DATE OF PROPOSED INCREASE: 10/1/2016

(must be at least 35 days after notice is provided to customers and 35 days after application is filed)

(Proposed rates requested by the utility are not final. The Commission may modify the rates and order a refund or credit against future bills all sums collected during the pendency of the rate proceeding in excess of the rate finally ordered plus interest.)

Reason(s) for proposed Rate Change:

Current rates not providing adequate recovery of revenue requirements.

BILLING COMPARISON

Water

Existing	5,000 gallons:	\$ <u>49.94</u> /mo	Proposed	5,000 gallons:	\$ <u>68.50</u> /mo
Existing	10,000 gallons:	\$ <u>64.94</u> /mo	Proposed	10,000 gallons:	\$ <u>88.50</u> /mo
Existing	30,000 gallons:	\$ <u>218.69</u> /mo	Proposed	30,000 gallons:	\$ <u>278.50</u> /mo

Sewer

Existing	5,000 gallons:	\$ <u>65.87</u> /mo	Proposed	5,000 gallons:	<u>96.00</u> /mo
Existing	10,000 gallons:	\$ <u>107.12</u> /mo	Proposed	10,000 gallons:	\$ <u>156.00</u> /mo

The Cliffs

Subdivision(s) or System(s) Affected by Rate Change

5495 Beltline Road, Suite 200 Dallas Texas 75254
Company Address City State Zip

(214) 706-9801

Company Phone Number

203,023.00

Annual Revenue Increase

8/10/2016

Date Notice Delivered

10/24/2008

Date of Last Rate Change

Between 1st and 5th each of month

Date Meters Typically Read

Prior to providing notice, the utility shall file a request for the assignment of a docket number for the application.

Please retain this stub for your records

Payment remitted to: Double Diamond Utilities, Inc.

PO BOX 4356 Dept. 1564
Houston, TX 77210-4356

PLEASE NOTE NEW ADDRESS!

Account #	Previous Read date	Previous Meter Read	Current Read Date	Current Meter Reading	Gallons Consumed	
807..20	06-27-16	904410	06-27-16	918630	14220	
Past due Amount	Late Fee Amount	Water Amount	Sewer Amount	Other Charge Amount	PGCD	Total Amount Due
0.00	0.00	86.34	49.37	1.36	0.00	137.07

BYROM J. SMITH III
200 OYSTER BAY
GRAFORD TX 76449

Date: _____
Amount: _____
Check #: _____

Special Notations for 16-07

Questions regarding your bill? Contact Double Diamond Utilities- (800) 324-7438 (8:00 am-5:00 pm CST Monday – Friday)
Visit our Web Sites – whitebluffresort.com, the cliffsresort.com, theretreat-texas.com or ddresorts.com
Utility bills are subject to TCEQ rules and regulations
Online payment is available. Please check the website. *Processing fees apply to payments made by phone.

Per your request, your payment will be auto debited

Please make check(s) payable to:
'Double Diamond Utilities'

To avoid a late fee, payment must be received by 08-30-2016

**Double Diamond Utilities
Utilities Statement**

Please detach and enclose this portion with your payment.

Account #	Past due	Late Fee	Water Amount	Sewer Amount	Other Charge Amount	PGCD	Total Amount Due
807..20	0.00	0.00	86.34	49.37	1.36	0.00	137.07

BYROM J. SMITH III
200 OYSTER BAY
GRAFORD TX 76449

Double Diamond Utilities, Inc.
PO BOX 4356 Dept. 1564
Houston, TX 77210-4356

All correspondence and address changes must be sent to:
5495 Beltline Rd. Ste.200
Dallas, TX 75254

0156400000028660000137070000137070