



Filing Receipt

Filing Date - 2023-12-15 04:28:18 PM

Control Number - 46395

Item Number - 14

**PUC DOCKET NO. 46395
SOAH DOCKET 473-14-5140.WS**

APPLICATION OF DOUGLAS UTILITY COMPANY TO CHANGE WATER AND SEWER RATE/TARIFF IN HARRIS COUNTY, TEXAS	§ BEFORE THE § § PUBLIC UTILITY COMMISSION § § OF TEXAS
---	--

**DOUGLAS UTILITY COMPANY COMPLIANCE REPORTS FOR FINAL ORDER
AMENDED SECOND COMPLIANCE REPORT FOR FINAL ORDER**

COMES NOW, Douglas Utility Company (DUC) and submits its Amended Second Compliance Report for Final Order in PUC Docket No.42860.

In Order No. 3 dated April 26, 2019, of the Commission in this Docket No. 46395, the Public Utility Commission of Texas (PUCT) ruled that DUC had complied with the refund requirements of the final order in Docket No. 42860, but it had not complied with the surcharge requirements of the final order in Docket No. 42860. As a result, the PUCT ordered that DUC do several things that are repeated below.

For the reasons stated below, DUC has not complied with those orders to date. With its sincere apologies to the Commission, DUC submits the following responses to the orders in Order No. 3.

The ALJ/Commission ordered as follows:

- i. Beginning with its first billing cycle following the notice that will be re-issued (as set forth below), Douglas Utility must begin collecting the surcharge specified by the final Order in Docket No. 42860, and the total amount must be collected over a period of 24 months.

Response: For a variety of reasons, the notice was never prepared in conformance with the second order below, so it was never re-issued nor were any subsequent collections made. The reasons include that DUC's attorney has severe medical issues and has quit practicing law. Until recently, DUC had not retained other counsel, and that contributed to the

delay in responding to Order No. 3. Also, DUC's principal contact at TNG Utility, the contract operator of the system, died, and the new relationship between the entities has not been conducive to effective communications. It has only been recently that the President of DUC was made aware of this situation, and he is the reason that this is now being addressed. DUC acknowledges that the time period in which the surcharge was to be collected is long since expired. Based on that and DUC's regrets over the time that the Commission has spent trying to contact it without response, DUC wishes to waive any uncollected part of the surcharge.

- ii. Douglas Utility must reissue notice to its customers explaining, in greater detail, the surcharge. Among other things, the notice must correctly identify the date of the final Order in Docket No. 42860, and specifically state when the new surcharge will go into effect, the amount to be collected, and the duration over which collections will take place. Douglas Utility must confer with Commission Staff when drafting the new notice and obtain Commission Staff's approval of the notice before issuing it to its customers.

Response: See response to Order (i) above.

- iii. Douglas Utility must file with the Commission proof of issuance of the notice by May 31, 2019.

Response: See response to Order (i) above.

iv. Commission Staff must file a recommendation on the sufficiency of the notice by June 10, 2019.

Response: See response to Order (i) above.

v. By July 1, 2019, Douglas Utility must file a status report which gives an accounting of the amount of surcharges collected, to date.

Response: See response to Order (i) above. No surcharges have been collected after the date of Order No. 3 of the Commission in this Docket No. 46395; i.e., after April 26, 2019.

vi. Thereafter, by the first working day of each subsequent calendar quarter during which surcharges are collected, Douglas Utility must file an updated status report.

Response: See response to Order (i) above. No surcharges have been collected after the date of Order No. 3 of the Commission in this Docket No. 46395; i.e., after April 26, 2019.

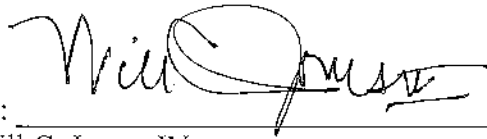
vii. Within 30 Days after all required surcharges have been collected, Douglas Utility must file Compliance Report No. 2.

Response: See response to Order (i) above. No surcharges have been collected after the date of Order No. 3 of the Commission in this Docket No. 46395; i.e., after April 26, 2019.

In summary, due to extenuating circumstances described above, DUC failed to fully comply with the Commission's Order No. 3. DUC waives any uncollected part of the surcharge, and it asks the Commission to accept its apology for the extended delay in closing this case.

In conclusion, DUC requests that the Commission close Docket No. 46395 and Docket No. 42860.

Respectfully submitted,



By: _____
Will C. Jones, IV
State Bar No. 10964570
The Jones Law Firm PC
3724 Jefferson Street, Suite 310
Austin, Texas 78731
wjones@thejoneslawfirm.com
(512) 391-9292
(866)-511-5961 fax