



Control Number: 46439



Item Number: 77

Addendum StartPage: 0

SOAH DOCKET NO. 473-17-3320.WS

Docket No. 46439

| | | |
|-------------------------------------|---|----------------------------|
| COMPLAINT OF WES ANDERSON, et al., | § | BEFORE THE STATE OFFICE OF |
| against QUADVEST LP, QUADVEST INC., | § | |
| RANCH UTILITIES CORP., and RANCH | § | ADMINISTRATIVE HEARINGS |
| UTILITIES, L.P. | § | |

SOAH DOCKET NO. 473-17-5772.WS

Docket No. 47279

| | | |
|-------------------------------------|---|----------------------------|
| COMPLAINT OF WES ANDERSON, et al., | § | BEFORE THE STATE OFFICE OF |
| against QUADVEST LP, QUADVEST INC., | § | |
| RANCH UTILITIES CORP., and RANCH | § | ADMINISTRATIVE HEARINGS |
| UTILITIES, L.P. | § | |

COMPLAINANT STEPHEN JONES' RESPONSES TO QUADVEST'S SECOND REQUEST
FOR INFORMATION QUESTION NOS. 2-1 THROUGH 2-12

TO: QUADVEST, LP, QUADVEST, INC., RANCH UTILITIES CORP and RANCH UTILITIES, L.P., by and through their attorney of record, Tammy Wavle Shea, Cozen O'Connor, 1221 McKinney, Suite 2900, Houston, Texas 77010.

COME NOW, Complainants WES ANDERSON, ET AL., and files this response to Quadvest L.P., Quadvest, Inc., Ranch Utilities Corp. and Ranch Utilities, Inc.'s ("Quadvest") Second Request for Information to "Plaintiff" Stephen Jones, Question numbers 2-1 through 2-12. Complainants stipulate, pursuant to PUC Procedural Rule 22.144(c)(F), that the following responses to requests for information may be treated by all parties as if the answers were filed under oath.

Respectfully Submitted,

HANSZEN LAPORTE, LLP

By: /s/ Daniel R. Dutko

Daniel R. Dutko

SBN: 24054206

14201 Memorial Dr.

Houston, Texas 77079

(713) 522-9444 phone

(713) 524-2580 fax

ddutko@hanszenlaporte.com

Attorneys for Complainants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent to all interested parties, by and through their counsel of record on this 5th day of December, 2017.

Mr. Alexander Petak
Public Utility Commission of Texas, Legal Division
1701 N. Congress Ave.
P.O. Box 13326
Austin, Texas 78711-3326

Via Facsimile (512) 936-7268

Ms. Tammy W. Shea
Cozen O'Connor
1221 McKinney, Suite 2900
Houston, Texas 77010
Attorney for Quadvest

Via Facsimile (832) 214-3905

/s/ Daniel R. Dutko
Daniel R. Dutko

RESPONSES TO SECOND REQUEST FOR INFORMATION

2-1 Identify the correct names of the parties to the lawsuit;

Response: This matter is a PUC Complaint, not a lawsuit. However, Complainant believes the parties are correctly named.

2-2 Identify the name, address, and telephone number of any potential parties;

Response: None known at this time.

2-3 The legal theories and, in general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial);

Response: Complainant objects to this request because it is vague, unclear and confusing in its reference to "evidence to be offered at trial", as this matter is a PUC complaint, not a civil lawsuit. For the substance of the issues to be presented, see Complainant's/Plaintiff's Formal Complaints filed under PUC docket number 46439.

2-4 The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case;

Response: *The individuals listed below are customers of Quadvest and Complainants in matters filed with the PUC under one or both consolidated docket numbers. They have knowledge regarding their average water usage, their water usage history, their average water bills, and the sudden, dramatic and unexplained increases in their alleged water usage and bills after Quadvest's installation of new "smart" meters.*

| | |
|---|----------------------|
| Stephen Jones 32811 Sawgrass Ct. Magnolia, TX 77354 | Customer of Quadvest |
|---|----------------------|

| | |
|---|----------------------|
| Bradley K. Baker 9619 Deer Path Lane Magnolia, TX 77354 | Customer of Quadvest |
|---|----------------------|

| | |
|---|----------------------|
| Ethel Barrett 11018 Lake Windcrest Magnolia, TX 77354 | Customer of Quadvest |
|---|----------------------|

| | |
|---|----------------------|
| Gail Stephens Acebo 10614 Serenity Sound Magnolia, TX 77354 | Customer of Quadvest |
|---|----------------------|

| | |
|--|-----------------------------|
| Mary Erato 32642 Green Bend Court Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Priscilla A. Ferguson 17111 Sheffield Park Dr. Cypress, TX 77433 | <i>Customer of Quadvest</i> |
| Gladys H. Floyd 10118 Clubhouse Circle Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Randolph R. Hansen 10314 Serenity Sound Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Robert Hardoin 32951 Sawgrass Ct. Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Darin Reeser 10615 Crystal Cove Dr. Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Victoria Risinger 11511 Harbor Way Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Allyn Watkins 40610 Ithaca Lane Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Jill Westbrook 9426 Deer Path Lane Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Jennifer L. Wike 9811 Crestwater Cir Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Fang Yiu 19827 Edgewater Dr. Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Ashley Sanders 12130 Clara Lane Pinehurst, TX 77362 | <i>Customer of Quadvest</i> |

| | |
|--|--|
| Jamie Taylor Stephanie Taylor 33010 Sawgrass Ct. Magnolia, TX 77354 | <i>Customer of Quadvest</i> <i>Customer of Quadvest</i> |
| Mark Lejsekon M'ral Lejsekon 10711 Mystic Cove Magnolia, TX 77354 | <i>Customer of Quadvest</i> <i>Customer of Quadvest</i> |
| Marco Barnes 11838 Elizabeth Court Pinehurst, TX 77362 | <i>Customer of Quadvest</i> |
| Leo Martin 10411 Serenity Sound Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Oneal Norris 10606 Crestwater Circle Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Paul Gardaphe Rebecca Gardaphe 9335 Clubhouse Circle Magnolia, TX 77354 | <i>Customer of Quadvest</i> <i>Customer of Quadvest</i> |
| Richard Deming 10507 Crystal Cove Dr. Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Ron Christopherson 40418 Remington Lane Magnolia, TX 77354 | <i>Customer of Quadvest</i> |
| Tamara Blessing 26630 Santa Fe Dr. Magnolia, TX 77355 | <i>Customer of Quadvest</i> |
| Wes Anderson 10703 MysticCove Magnolia, TX 77354 | <i>Customer of Quadvest</i> |

Simon Sequeira
Ryan Quigley
Fred "Butch" Alanis
Jeff Eastman
Quadvest
26926 FM 2978
Magnolia, Texas 77354

*President
Operations Manager
Chief Operating Officer
Chief Financial Officer*

These individuals are employees, agents and representatives of Quadvest with knowledge of the installation of new "smart" meters, and the problems associated with the smart meters and erroneous usage readings.

Master Meter, Inc.
101 Regency Parkway
Mansfield, TX 76063
800-765-6518

Master Meter is the company that installed the smart meters at issue, and may have knowledge regarding their accuracy/inaccuracy, and other issues regarding their installation and use.

Southern Flow Meter, Inc.
14300 Northwest Freeway
Houston, Texas 77040
(281) 997-5544

Southern Flow Meter was allegedly hired by Quadvest to conduct testing on the meters at issue. They may have knowledge regarding the accuracy/inaccuracy of the meters, and the procedures and protocols used in testing the meters.

2-5 for any testifying expert:

- (1) the expert's name, address, and telephone number;
- (2) the subject matter on which the expert will testify;
- (3) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting such information;
- (4) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
 - (A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - (B) the expert's current resume and bibliography.

Response: Complainant hereby cross-designates and state that he may call any expert witness(es) identified or designated by any adverse party or any employee or representative of an adverse party, subject to any objections Complainant may make concerning the designation of those expert witnesses. These witnesses would include, but not necessarily be limited to individuals designated by Quadvest, et al.

Complainant reserves the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by other parties to the suit. Complainants may also call, as a witness associated with other parties, any expert witness(es) of any party who may be added to this lawsuit.

Complainant reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness to trial and to redesignate same as a consulting expert, who cannot be called by opposing counsel.

Complainant reserves the right to elicit any expert opinion or lay opinion testimony at the time of the Hearing on the Merits, which would be truthful, which would be of benefit to the Commission, to determine material issues of fact.

Complainant hereby designates as experts all adverse parties, potentially adverse parties and/or as witnesses associated with adverse parties, all parties to this suit and all experts designated by any such parties to this suit, even if the designated party is not a party to this complaint at the time of the Hearing on the Merits. Such designation does not mean that Complainant embraces all such expert opinions.

Complainant reserves whatever additional rights he may have with regard to experts and witnesses, according to the Procedural Rules.

Complainant reserves the right to supplement this designation with additional designations of experts within any time limits imposed by the Commission.

2-6 Produce any discoverable indemnity and insuring agreements described in TRCP 192.3(f);

Response: Not Applicable.

2-7 Produce any discoverable indemnity and insuring agreements described in TRCP 192.3(f)

Response: Complainant objects that this request is duplicative of request number 2-6. Subject to and without waiving this objection, not applicable.

2-8 Produce any discoverable settlement agreements described in TRCP 192.3(g);

Response: None.

2-9 Produce any discoverable witness statements described in TRCP 192.3(h);

Response: None other than Complainants' testimony, which has been filed with the Commission.

2-10 Produce all correspondence with any third party regarding your complaint, water usage, or meters.

Response: None.

2-11 Produce all correspondence with parties to this complaint regarding your complaint, water usage, or meters.

Response: None.

2-12 Produce all emails, notices or other communications with residences in your area regarding your complaint, water usage, or meters.

Response: Complainant objects to this request because it is vague, unclear and confusing in its use of the phrase "communication with residences". Complainant is unaware of what a communication with a "residence" would consist of.

SUPPORTING WITNESS:

Stephen Jones

The foregoing responses to the above requests for information are accurate and complete, and contain no material misrepresentations or omissions based on present facts known to the undersigned. The undersigned agrees to immediately inform the requestor if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information request.

/s/ Stephen Jones
Stephen Jones