

Control Number: 47058



Item Number: 26

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SOAH DOCKET NO. 473-17-4369.WS

PUC DOCKET NO. 47058

RATEPAYERS' APPEAL OF THE  
DECISION BY THE SAN PATRICIO  
COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 1 TO CHANGE RATES

BEFORE THE STATE OFFICE OF

ADMINISTRATIVE HEARINGS

RECEIVED  
2017 SEP 21 AM 9:21  
PUBLIC UTILITIES DIVISION  
STATE OFFICE

RATEPAYER CAMP STRYKER RV PARK RESPONSE IN SUPPORT OF COMMISSION  
STAFF'S MOTION FOR SUMMARY JUDGMENT

COMES NOW CAMP STRYKER RV PARK IN SUPPORT OF COMMISSION STAFF'S  
MOTION FOR SUMMARY JUDGMENT AND IN REBUTTAL TO THE MUD NO. 1  
RESPONSE TO SAID MOTION

The Mud has, itself, made the case for Staff's motion for Summary Decision by offering J. Schwarz & Associates engineering report (exhibit A, Mud response) as a basis for MUD's increase of charges to Camp Stryker by more than a 1,000% per gallon since March, 2017.

The report gives the following capacity usages:

1. Groundwater well pumps...15.8% of capacity in use
2. Total Storage Capacity...29.3% of capacity
3. Pump capacity...66% of capacity
4. Pressure Tank 52.8% of capacity

These numbers show the MUD comfortably within its capacity.

The said report warns that when a MUD reaches 85% capacity TCEQ requires it to develop and submit a plan for expanded service. If and when MUD NO. 1 reaches the report level, that would be the time to plan facility enhancement, along with an expense plan including rate changes.

The prospects for MUD NO. 1 ever reaching even the report trigger of 85% capacity are slim by their own responses to rate-payer's request for information EXHIBIT A. They stated that from 2012 to 2017 they added only 1 commercial customer and 5 residential customers. According to their summary of February 1, 2017, Exhibit B attached hereto (MUD response to Appellant/Staff

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requests) MUD sold 690,000 gal/month to its customers. Using Camp Stryker's most recent bill, Exhibit C, attached hereto, MUD delivered 17,000 gallons to Camp Stryker in August 2017---- 2.4% of MUD's deliveries.

SUMMARY: USING MUD'S OWN RESPONSES AND APPELLANTS BILLS ATTACHED TO PLEADINGS, CAMP STRYKER RV PARK USED APP. 2.4 % OF MUD'S WATER IN AUGUST AND PAID APP. 20% OF THE BILL FOR THE ENTIRE TOWN.

MUD NO. 1 HAS OFFERED NO EVIDENCE OF ANY IMPROVEMENTS OR CONSTRUCTION THAT JUSTIFY THIS UNFAIR 1,000% INCREASE FOR ONE CUSTOMER

Note: MUD's response states that the engineering report says that the RV Park will "cause substantial strain on the load of the system." Nowhere do these words appear in the report.

Thank You,

Robert S. Hunter, owner, Camp Stryker RV Park

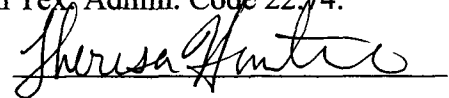
 9/17/17

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing instrument was served on all parties of record on September 18, 2017, in accordance with Tex. Admin. Code 22.74.



VIA CERTIFIED MAIL

TJ Harris

Attn: File Clerk

PUBLIC UTILITY COMMISSION OF TEXAS

PUBLIC UTILITY COMMISSION

LEGAL DIVISION

OF TEXAS LEGAL DIVISION

1701 N. Congress Avenue, Suite 8-110

1701 N. Congress Avenue, suite 8-110

Austin, Texas 78711

Austin, Texas 78711

UPTON, MICKITS & HEYMANN, L.L.P.

Attn: R. Bryan Stone

Frost Bank Plaza

802 N. Carancahua, Suite 450

Corpus Christi, Texas 78401

PUC DOCKET NO. 47058

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RATEPAYERS' APPEAL OF THE  
DECISION BY THE SAN PATRICIO  
COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 1 TO CHANGE RATES

RECEIVED

2017 JUL 19 PH 3:11

PUBLIC UTILITY COMMISSION  
FILING CLERK

RATEPAYERS' FIRST REQUEST FOR INFORMATION TO SAN PATRICIO COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 1

Pursuant to 16 Tex. Admin Code section 22.144 of the Commission's procedural rules the appellant, Camp Stryker RV park, requests that San Patricio County Municipal Utility District No. 1 provide the following information.

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. Please respond within 20 days.

Provide an original and three copies of your answers to the questions to the filing clerk Public Utility Commission of Texas, 1701 N. Congress Ave P.O. box 13326, Austin TX, 78711-3326

QUESTION NUMBER 1.

*YES*  
Did any RV parks exist within the Utility District prior to January 1, 2017? If so, please provide the rates that were charged to previous RV park/s.

QUESTION NUMBER 2.

*9 130*  
How many total active meters (Commercial/Residential) did the MUD service in January, 2012?

QUESTION NUMBER 3.

*10 135*  
How many total active meters (Commercial/Residential) did the MUD service in June 2017?

QUESTION NUMBER 4.

Describe what additional burden in water usage, materials or labor the MUD has undertaken as a direct result of construction and operation of Camp Stryker RV park.

QUESTION NUMBER 5.

Has the MUD engaged any engineer or expert to analyze the MUD's capacity to deliver water to it's customers? If so, provide the contact information for said expert. Provide any written report that exists.

EXHIBIT A  
(MUD'S ANSWERS TO RFI)

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San Patricio County Municipal Utility District #1  
Billing Worksheet February 1, 2017

Acct No	Customer Name	Payment Record		Carried Forward	Add Fees	Trash Service	Added Carts	Jan '17 Readings	Gallon Usage	Water Charge	Sewage Charge	Monthly Billed	
		Y2016	Amount										
248	Rose Mary Benavidez	12/26/16	\$ 40.00					1261000	6000	\$ 31.00	\$ 12.50	\$ 43.50	\$
249													\$
250	Jesusa Martinez	10/20/16	\$ 100.00	\$ 105.24		\$ 22.58		791000	7000	\$ 33.00	\$ 14.00	\$ 47.00	\$
251	Armando M. Dy	12/09/16	\$ 30.00						0		\$ 30.00	\$ 30.00	\$
252	Harrie Monae Jr.	05/24/13		\$ 1,910.00	\$10				0		\$ 30.00	\$ 30.00	\$ 1.95
253	Hector Morin	12/16/16	\$ 98.21			\$ 22.58	\$ 11.83	2142000	12000	\$ 45.00	\$ 21.50	\$ 66.50	\$ 100
254	Miguel A. Nevarez	12/21/16	\$ 40.00					2403000	7000	\$ 33.00	\$ 14.00	\$ 47.00	\$ 47.1
254A	Lydia Trevizo	12/09/16	\$ 33.00					161000	0	\$ 25.00	\$ 8.00	\$ 33.00	\$ 33.0
255	Irisema Benavides	12/21/16	\$ 62.58			\$ 22.58		81000	5000	\$ 29.00	\$ 11.00	\$ 40.00	\$ 62.58
256	Paul Guerrero	12/26/16	\$ 60.00	\$ 0.62		\$ 22.58		52000	6000	\$ 31.00	\$ 12.50	\$ 43.50	\$ 66.70
257	Ahmad Ijaz	11/30/16	\$ 154.42			\$ 22.58	\$ 11.83	8000	2000	\$ 35.00	\$ 8.00	\$ 43.00	\$ 77.21
258	Francisco Cruz	12/16/16	\$ 80.08			\$ 22.58		844000	12000	\$ 45.00	\$ 21.50	\$ 66.50	\$ 89.08
259	Victor Barrera	12/26/16	\$ 93.16			\$ 22.58		2056000	13000	\$ 48.00	\$ 23.00	\$ 71.00	\$ 93.58
260	Juan Pena	12/21/16	\$ 57.50					2216000	12000	\$ 45.00	\$ 21.50	\$ 66.50	\$ 66.50
261													\$
262	Roman Jaime	12/21/16	\$ 38.50					1097000	5000	\$ 29.00	\$ 11.00	\$ 40.00	\$ 40.00
263	Salvador Montes	12/12/16	\$ 33.00					624000	2000	\$ 25.00	\$ 8.00	\$ 33.00	\$ 33.00
264	Edward Rosette	12/16/16	\$ 38.00	\$ 1.80				411000	6000	\$ 31.00	\$ 12.50	\$ 43.50	\$ 45.30
265													\$
266	Dallo Benavidez	12/26/16	\$ 69.58			\$ 22.58		1292000	7000	\$ 33.00	\$ 14.00	\$ 47.00	\$ 69.58
267	Patricia Rubio	Paid with deposit						1273000	0				
268	Edroy Community Center							38000	1000				
269	Ernesto Esqueda	12/12/16	\$ 84.58			\$ 22.58		2030000	25000	\$ 84.00	\$ 41.00	\$ 125.00	\$ 147.58
270	C. Dunlap	01/02/17	\$ 100.71			\$ 22.58	\$ 11.83	1248000	11000	\$ 42.00	\$ 20.00	\$ 62.00	\$ 96.21
271	Santos Romero III	12/26/16	\$ 54.00					1268000	11000	\$ 42.00	\$ 20.00	\$ 62.00	\$ 62.00
272	Celia & Severiano Gome	12/21/16	\$ 77.71			\$ 22.58	\$ 11.83	44000	6000	\$ 31.00	\$ 12.50	\$ 43.50	\$ 77.71
273	Jacob A. Berdan	12/21/16		\$ 43.50				499000	8000	\$ 35.00	\$ 15.50	\$ 50.50	\$ 94.00
274	Ricky Fryer	12/09/16	\$ 43.00					1444000	0	\$ 35.00	\$ 8.00	\$ 43.00	\$ 43.00
275	OLG Parish Hall	12/12/16	\$ 33.00					1043000	1000	\$ 25.00	\$ 8.00	\$ 33.00	\$ 33.00
276	R. S. Hunter	12/26/16	\$ 43.00					44000	7000	\$ 43.00	\$ 14.00	\$ 57.00	\$ 57.00
277	Belinda Ruiz	12/26/16	\$ 65.16			\$ 22.58		199000	6000	\$ 31.00	\$ 12.50	\$ 43.50	\$ 66.08
278	David Barrera Sr.	08/29/16		\$ 180.00	\$10				0	\$ -	\$ 30.00	\$ 30.00	\$ 230.00
Grand Totals			\$ 7,528.31	\$ 0,301.38	\$55	\$ 1,870.92	\$ 151.19		690,000	\$ 4,194.00	\$ 1,787.50	\$ 5,983.50	\$ 14,161.94

EXHIBIT

MUD'S  
ANSWER  
TO RFI

EXHIBIT B  
MUDS MONTHLY  
GALLONAGE

**SAN PATRICIO COUNTY**  
**MUNICIPAL UTILITY DISTRICT #1**  
P. O. BOX 39 • EDROY, TEXAS 78352 • (361) 368-2432

276 **INVOICE FOR:**  
17-Aug

5751 CR 1677  
**DUE DATE:**  
20-Sep-17

ACCT. NO	PREVIOUS READING	CURRENT READING	GALLONS USED	WATER CHARGE	SEWAGE CHARGE	PENALTY FEE	BALANCE FORWARD	ADJUSTED BALANCE	TOTAL DUE:
276	91000	91000	0	\$770.00	\$176.00	\$0.00	\$0.00	\$0.00	\$946
276A	54000	71000	17000	22 sites/connections					

Trash Service	Additional Cart(s)	QTY	TOT.
\$0.00	\$0.00	0	\$0

➔ (All delinquent accounts will be **DISCONNECTED** & **\$35.00 PENALTY FEE ADDED !!!**)  
District meetings are held each month, as posted at 17886 HWY 234

**KEEP THIS TOP PORTION FOR YOUR RECORDS**

(PLEASE SEE REVERSE SIDE)

**RETURN THIS BOTTOM PORTION WITH YOUR PAYMENT**

ACCT. NO.	BILLING MONTH	DUE DATE	TOTAL DUE	TOTAL PAID
276	17-Aug	20-Sep-17	\$946.00	\$ _____
				<input type="checkbox"/> Check or <input type="checkbox"/> Money Order No Cash Accepted

**REMARKS:**

(Use for address changes, needed meter/box repairs, billing errors, & MOVING OUT NOTIFICATION.)

➔ (Please include Acct. No. on your check or M.O., No CASH!! Thanks)

276  
R. S. Hunter  
5751 CR 1677  
Odem, TX 78370

SAN PATRICIO COUNTY M.U.D. #1  
P. O. Box 39 • Edroy, Tx. 78352 • (361) 368-2432

**\* For your convenience a payment drop box is located at the M.U.D. building 17886 SH 234. \***

\*Please do not staple payment to invoice or envelope.\*

\* \$25.00 fee for returned checks.\*

EXHIBIT C  
CAMP STRYKER LATEST BILL