



Control Number: 47279



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SOAH DOCKET NO. 473-17-3320.WS
Docket No. 46439

RECEIVED

COMPLAINT OF WES ANDERSON, et al., \$
against QUADVEST LP, QUADVEST INC., \$
RANCH UTILITIES CORP., and RANCH \$
UTILITIES, L.P. \$

BEFORE THE STATE OFFICE OF

2017 NOV 27 AM 11:50

ADMINISTRATIVE HEARINGS

PUBLIC UTILITY COMMISSION
CLERK

SOAH DOCKET NO. ~~473-17-5772~~.WS
Docket No. 47279

COMPLAINT OF WES ANDERSON, et al., \$
against QUADVEST LP, QUADVEST INC., \$
RANCH UTILITIES CORP., and RANCH \$
UTILITIES, L.P. \$

BEFORE THE STATE OFFICE OF

ADMINISTRATIVE HEARINGS

COMPLAINANTS' RESPONSES TO COMMISSION STAFF'S THIRD REQUEST FOR
INFORMATION TO WES ANDERSON, ET AL.
QUESTION NOS. STAFF 3-1 THROUGH STAFF 3-2

TO: Commission Staff, by and through their attorneys of record, Margaret Uhlig Pemberton, Karen S. Hubbard, and Alexander Petak. Public Utility Commission of Texas Legal Division, 1701 N. Congress Ave., P.O. Box 13326, Austin, Texas 78711.

COME NOW, Complainants WES ANDERSON, ET AL., and files this response to Commission Staff's Third Request for Information, Question numbers Staff 3-1 through Staff 3-2. 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

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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 16th day of November, 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 THIRD REQUEST FOR INFORMATION

Acebo – 10614 Serenity Sound:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 9 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system" If so, how often is the system used?

Response:

- a) Yes, we have a sprinkler system that runs 3 times per week, depending upon the rainfall;
- b) 1 acre
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) No.
- e) Yes. It runs 3 times per week, depending upon the rainfall.

SUPPORTING WITNESS:

Gail Stephens Acebo

The foregoing response to the above request for information is accurate and complete, and contains 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/ Gail Stephens Acebo
Gail Stephens Acebo

Barrett – 11018 Lake Windcrest:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 11 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system” If so, how often is the system used?

Response:

- a) Yes. We have an automatic irrigation system that run 3 times per week, to irrigate approximately 1 acre (or less) of the property.
- b) 2.80 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house. The only exception is during the time of the most dramatic increase in our water bills in the Summer of 2016, we were actually using less water than normal because our irrigation system was broken.
- d) We have a pool, but no fountains.
- e) Yes, 3 times per week.

SUPPORTING WITNESS:

Ethel Barrett

The foregoing response to the above request for information is accurate and complete, and contains 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/ Ethel Barrett
Ethel Barrett

Deming – 10507 Crystal Cove:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 6 or 7 years ago.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system” If so, how often is the system used?

Response:

- a) Yes, but we only use it as needed.
- b) 1 acre
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) We have a pool, but no fountains.
- e) Yes, but we only use it as needed.

SUPPORTING WITNESS:

Richard Deming

The foregoing response to the above request for information is accurate and complete, and contains 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/ Richard Deming
Richard Deming

Erato – 32643 Green Bend Court:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: 3 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system” If so, how often is the system used?

Response: a) There is an automatic irrigation system, but we do not use it.
b) 1.48 Acres
c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
d) We have a pool, but no fountains.
e) Yes, but we do not use it.

SUPPORTING WITNESS:

Mary Erato

The foregoing response to the above request for information is accurate and complete, and contains 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/ Mary Erato
Mary Erato

Floyd – 10118 Clubhouse Circle:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: 17 years

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system? If so, how often is the system used?

Response:

- a) Yes, for about 1 acre. It is only used when needed
- b) 1.97 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time I have lived at this house.
- d) I do not have a pool or fountain.
- e) Yes, for about 1 acre, but it is only used when needed.

SUPPORTING WITNESS:

Gladys Floyd

The foregoing response to the above request for information is accurate and complete, and contains 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/ Gladys Floyd
Gladys Floyd

Gardaphe – 9335 Clubhouse Circle:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 4 years

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system” If so, how often is the system used?

Response:

- a) Yes, but it is only used sparingly, when needed.
- b) 2 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) We have a pool and a fountain.
- e) Yes, but the system is only used sparingly when needed. I recall 2016 was particularly rainy which would have caused us to use it even less.

SUPPORTING WITNESS:

Paul Gardaphe

The foregoing response to the above request for information is accurate and complete, and contains 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/ Paul Gardaphe
Paul Gardaphe

Hansen – 10314 Serenity Sound:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 2 years

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system? If so, how often is the system used?

Response:

- a) Yes, twice a week.
- b) 2 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) No pool or fountain
- e) Yes, it waters twice a week.

SUPPORTING WITNESS:

Randolph Hansen

The foregoing response to the above request for information is accurate and complete, and contains 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/ Randolph Hansen
Randolph Hansen

Leo – 10411 Serenity Sound:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 4 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system” If so, how often is the system used?

Response:

- a) Yes, 3 times a week, but only for 7-8 months of the year
- b) 2 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) We have a pool, but no fountains.
- e) Yes, 3 times a week, only when needed 7-8 months of the year.

SUPPORTING WITNESS:

Martin Leo

The foregoing response to the above request for information is accurate and complete, and contains 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/ Martin Leo
Martin Leo

Sanders – 12130 Clara Lane:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 2 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system" If so, how often is the system used?

Response:

- a) Will supplement
- b) 0.126 acres
- c) This question is vague, however, my water usage has remained consistent throughout the time I have lived at this house.
- d) No pool or fountain.
- e) Will supplement.

SUPPORTING WITNESS:

Ashley Sanders

The foregoing response to the above request for information is accurate and complete, and contains 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/ Ashley Sanders
Ashley Sanders

Watkins – 40610 Ithaca Lake:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 4 years

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system" If so, how often is the system used?

Response:

- a) Will supplement.
- b) 0.68 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) We have a pool, but no fountain.
- e) Will supplement.

SUPPORTING WITNESS:

Allyn Watkins

The foregoing response to the above request for information is accurate and complete, and contains 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/ Allyn Watkins
Allyn Watkins

Westbrook – 9426 Deer Path Lane:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 7 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system" If so, how often is the system used?

Response:

- a) Yes. We use it occasionally when needed, in 5 minute cycles, 3 times per week.
- b) 1 acre
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) We have a pool and 1 recirculating fountain.
- e) Yes. We only use it occasionally, in 5 minute cycles 3 times per week.

SUPPORTING WITNESS:

Jill Westbrook

The foregoing response to the above request for information is accurate and complete, and contains 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/ Jill Westbrook
Jill Westbrook

Yiu – 29827 Edgewater Dr.:

STAFF 3-1: How long have you resided at your current address. If you have not lived at the current address for 3 years, file water bills from your previous residence from January 2014 until you became a Quadvest customer.

Response: Approximately 5 years.

STAFF 3-2: Please provide a description of the properties identified in the response to Staff 3-1, including:

- a) Whether or not complainant utilizes an irrigation system of some kind. If so, provide a description of the system.
- b) The size of the lots.
- c) Frequency of water usage.
- d) Does the lot contain a pool or fountain
- e) Does the home have an automatic irrigation system” If so, how often is the system used?

Response:

- a) Will Supplement.
- b) 2 acres
- c) This question is vague, however, our water usage has remained consistent throughout the time we have lived at this house.
- d) We have a pool, but no fountains.
- e) Will supplement.

SUPPORTING WITNESS:

Fang Yiu

The foregoing response to the above request for information is accurate and complete, and contains 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/ Fang Yiu
Fang Yiu

HANSZEN LAPORTE

ATTORNEYS AT LAW

November 22, 2017

Public Utility Commission of Texas Central Records
Attn: Filing Clerk
1701 N. Congress Ave.
Austin, Texas 78711-3326

Via FedEx

Re: CONSOLIDATED CASES:
PUC Docket No. 46439 (SOAH No. 473-17-3320.WS) Anderson, et al. v. Quadvest, LP, et al.; Before the State Office of Administrative Hearings
PUC Docket No. 47279 (SOAH No. 473-17-5772.WS) Anderson, et al. v. Quadvest, LP, et al.; Before the State Office of Administrative Hearings

Dear Filing Clerk:

Per your request, please see additional copies of the below-referenced document, which was forwarded to you on November 17, 2017:

Complainants Wes Anderson et al.'s Response to Commission Staff's Third Request for Information to Complainants – Question Nos. 3-1 through 3-2.

Thank you.

Very truly yours,

Hanszen Laporte, LLP

/s/ Daniel R. Dutko

By: _____
Daniel R. Dutko

DRD/kr
Enclosure(s)