

Control Number: 47288



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DOCKET NO. 47288

RATE PAYERS' APPEAL OF THE DECISION BY WEST WISE SPECIAL UTILITY DISTRICT TO CHANGE RATES	§ § § § §	2017 RECEIVED BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
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**WEST WISE SPECIAL UTILITY DISTRICT'S
STATEMENT OF REVIEW OF PETITION SIGNATURES**

COMES NOW, West Wise Special Utility District ("West Wise") and files this Statement of Review of Petition Signatures in response to the Petition to Appeal Rates Established by the Board of Directors of West Wise ("Petition") filed by purported ratepayers in this docket through their representative, Ms. Sharon Boyette. In support thereof, West Wise respectfully shows as follows:

I. SUMMARY

The Petition contained a total of 169 purported signatures. *See* Petition, attached hereto as **Exhibit A**. On its face the Petition contains numerous errors and defects, including misspelling West Wise's name (as "West Wise Special *Utilities* District"), wrongly stating the effective date of the rate change (actually March 16, 2017, as stated in the Board's resolution), and even including an error in the address of the ratepayers' representative (erroneously typed in the header as 103 CR **1640**, instead of CR 1641). Given the facial defects of the Petition, West Wise elected to conduct a thorough review, based upon the criteria set forth in the Water Code and the Public Utility Commission of Texas ("PUC") rules, to determine the validity of each of the signatures submitted. Based upon West Wise's review, the total number of invalid signatures is 72. The signatures were determined to be invalid for four primary reasons: (1) the entry is missing required information; (2) the ratepayer or service address is duplicated elsewhere on Petition; (3) the signer was not eligible to appeal; and (4) the signature itself is invalid.

Therefore, of the 169 purported signatures, **only 97** are valid signatures. Additionally, as described below, the total West Wise ratepayers who were affected by the rate decision was 1,013.

II. BACKGROUND

West Wise is a political subdivision, with an elected board of directors (“Board”), which has original jurisdiction over the water rates charged to its retail customers. West Wise is currently under an enforcement order by the Texas Commission on Environmental Quality (TCEQ) which mandates that West Wise upgrade its surface water treatment facilities to meet the latest drinking water standards. After exhaustive review of options, the Board determined that the most cost effective way to comply with the order was to construct a new water treatment plant at a new location. The Board diligently pursued that goal and secured funding for the project from the lowest cost provider of funds, the Texas Water Development Board.

The Board retained well qualified consultants to evaluate the district’s revenue requirement and rate structure. Upon the recommendation of those consultants and in order to raise the revenue to pay for the construction of the new surface water treatment plant, on March 16, 2017, the Board adopted the new rate structure at issue here. *See* Resolution Adopting a Change in Water Rates from West Wise’s Board Meeting on March 16, 2017, attached hereto as **Exhibit B**. On April 1, 2017, West Wise mailed notification of the rate changes to each of its customers. *See* Notice to Customers, attached hereto as **Exhibit C**. On June 14, 2017, Appellants filed the Petition with the PUC. *See* Petition, attached hereto as **Exhibit A**.

III. REVIEW OF SIGNATURES

As detailed in the Affidavit of Darcie White, attached hereto as **Exhibit D**, West Wise identified all ratepayers whose rates were changed and then reviewed each purported signature found in the Petition based on the specified standards to determine validity. Pursuant to Texas Water Code § 13.043 (d) and PUC Subst. R. 24.41 (d), to be a valid signature, the person signing the petition must: (1) legibly list his or her “name, telephone number, and street or rural route address (post office box numbers are not sufficient)” and “the address of the location where service is received if it differs from the residential address of the signatory ratepayer”; (2) be the person, or the spouse of the person, in whose name services are carried; and (3) be a ratepayer of West Wise whose rates were changed. In addition, each ratepayer may only be counted once, regardless of the number of accounts that ratepayer has with West Wise. *See id.*

A. Total Number of Ratepayers Subject to Adjusted Rate

West Wise had 1,013 ratepayers who were subject to the adjusted rate and thereby eligible to appeal its rate decision. Pursuant to Texas Water Code § 13.043 (d), “each person receiving a separate bill is considered a ratepayer, but one person may not be considered more than one ratepayer regardless of the number of bills the person receives.” As discussed in the Affidavit of Darcie White, Office Manager of West Wise, to determine the number of ratepayers who were subject to the adjusted rate, West Wise pulled a historical report of West Wise’s accounts as of March 31, 2017. The report showed the total number of customer accounts at the end of March, 2017 was 1,248. Some West Wise customers have multiple accounts and some of the accounts are inactive. Therefore, West Wise subtracted 114 accounts (customers with multiple accounts) and 121 inactive accounts from the total March accounts (1,248), to arrive at

the accurate number of West Wise ratepayers who were affected by the rate decision, which was 1,013.

B. Total Number of Valid Signatures

Of the 169 purported signatures on the Petition, 72 are invalid, leaving only 97 valid signatures. The details of the review of the signatures are set out in the Affidavit of Darcie White, attached hereto as **Exhibit D**.

Missing Information. Twenty-seven of the entries are invalid on their face because they are do not contain required information (but, because of duplicates, only twenty-two were removed from the tally). Pursuant to the PUC's substantive rules setting out the requirements for each signature on a water rate appeal, each entry on a petition legibly list "the name, telephone number, and street or rural route address (post office box numbers are not sufficient) of each signatory ratepayer." 16 Tex. Admin. Code § 24.42. In addition, "[t]he petition shall list the address of the location where service is received if it differs from the residential address of the signatory ratepayer." *Id.* Here, six signers did not include a printed name, seven were illegible, ten did not include a sufficient address or phone number, two did not include a residential address, and two of the addresses are not the address serviced by West Wise for that account. *See* Petition, attached hereto as **Exhibit A**; *see also* Affidavit of Darcie White, attached hereto as **Exhibit D**.

Duplicates And Not Eligible to Appeal. Twenty-one additional signatures are invalid because the entry is a duplicate of another ratepayer or service address on the Petition or the singer was not eligible to sign the Petition. Pursuant to Section 13.043(d), the Water Code provides that to determine which signatures are valid for a Petition to Appeal, "each person receiving a separate bill is considered a ratepayer, but one person may not be considered more

than one ratepayer regardless of the number of bills the person receives” and “[t]he petition for review is considered properly signed if signed by a person, or the spouse of a person, in whose name the utility service is carried.” Six signatures are duplicates of ratepayers already counted on the Petition and five are duplicates of service addresses already counted. *See* Petition, attached hereto as **Exhibit A**; *see also* Affidavit of Darcie White, attached hereto as **Exhibit D**. Four additional signers are not account holders or the spouses of account holders, two service addresses represent inactive accounts, and four of the addresses are not serviced by West Wise. *See id.*

Invalid Signatures. For thirty-five Petition entries, the signatures themselves were invalid. Four of the purported signatures are forgeries of deceased account holders, twenty additional signatures do not match the signature on file with West Wise, and three of those signatures are misspellings of the ratepayer’s name. In addition, eight entries contained no signature at all and three of the signatures contain more than one name. *See* Affidavit of Darcie White, attached hereto as **Exhibit D**. Each of these purported signatures fail to conform to the requirement of Section 13.043(d), Water Code. That section requires that to be “properly signed” an appeal petition must be “signed by a person or the spouse of a person” who is a ratepayer.

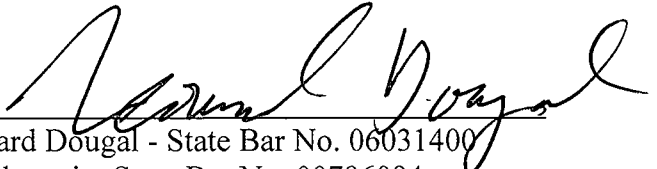
Summary. In summary, the total defects in the Petition signatures numbers 83. Some signatures contain multiple defects. As further described in the Affidavit of Darcie White, regardless of the number of defects in a signature, the signature was only removed once from the final count of valid signatures. The defective entries reduced the number of valid signatures by 72, leaving only 97 valid signatures.

CONCLUSION AND PRAYER

The total number of affected West Wise ratepayers is 1,013, and of the 169 purported signatures on the Petition, 72 are invalid, leaving 97 valid signatures. West Wise respectfully requests that the parties take notice of these totals for use in the current docket and appeal.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: 
Leonard Dougal - State Bar No. 06031400
Ali Abazari - State Bar No. 00796094
100 Congress, Suite 1100
Austin, Texas 78701
E: ldougal@jw.com
T: (512) 236-2233
F: (512) 391-2112


ATTORNEYS FOR WEST WISE SPECIAL
UTILITY DISTRICT

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of July 2017, a true and correct copy of the foregoing document was served on the individuals listed below by hand delivery, email, facsimile or First Class Mail.

Sharon Boyette *[Ms. Boyette has agreed to receive service of documents
103 CR 1641 in this proceeding via Email]*
Chico, Texas 76431
T: (940) 644-6664
E: Texasbayoulady@att.net
 Ratepayer's Representative

Ashley Nwonuma
Attorney-Legal Division
Public Utility Commission of Texas
1701 North Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326
T: (512) 936-7163
F: (512) 936-7268
E: ashley.nwonuma@puc.texas.gov


Leonard H. Dougal

LIST OF EXHIBITS

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|------------------|--|
| Exhibit A | Petition to Appeal Rates |
| Exhibit B | Resolution Adopting a Change in Water Rates from West Wise's Board Meeting on March 16, 2017 |
| Exhibit C | Notice to Customers |
| Exhibit D | Affidavit of Darcie White |

Exhibit A

Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District, 3412 FM 2952, Bridgeport, Texas 76426

The undersigned ratepayers of West West Special Utilities District (West Wise S.U.D.) hereby appeal the decision of the board of directors of the Special Utilities District affecting the rates charged to them by West Wise S.U.D. The rate change was effective on May 1, 2017 and affected the rates charged for water utility service. On April 1, 2017, the ratepayers were notified by the service provider of this rate increase. The undersigned request that the Public Utility Commission of Texas review the decision to determine if the rates established are just and reasonable. The old rates charged by the service provider are \$45.00 minimum bill plus \$3.65 for each additional 1,000 gallons and the new rates are \$74.68 minimum bill plus \$6.06 for each additional 1,000 gallons. The undersigned designate West Wise S.U.D. Customer and Park Acres Property Owner as their representative on this matter. Correspondence to the ratepayers' representative may be directed to Ms. Sharon Boyette, West Wise S.U.D. customer and Park Acres Property Owner, 103 CR 1640, Chico, Texas 76431; 940-644-6664.

	Name (Print and Sign)	Service Address (and mailing address if different than service address)	Phone Number
1	Sharon Boyette <i>Sharon Boyette</i>	103 CR 1641 Chico, TX 76431	940-644-6664
2	Jayne Chambliss / Jayme Flannigan <i>Jayne Chambliss / Jayme Flannigan</i>	158 CR 1634 Chico, TX 76431	940-644-55451 cell 940-353-2411
3	KATHERINE J COON <i>Katherine J Coon</i>	149 CR 1639 - M.A. P.O. Box 331 Chico, TX 76431 152 CR 1639 - M.A. P.O. Box 331 Chico, TX 76431	216 940-644-2668 1051
4	Jope Byers <i>Jope Byers</i>	169 CR 1639 Chico, TX 76431	644-5745 940-644-5745
5	Jane & Donna Walker <i>Jane & Donna Walker</i>	153 CR 1639 Chico, TX 76431	940-644-5932
6	Lillie McElanahan <i>Lillie McElanahan</i>	157 CR 1639 Chico, TX 76432	940 644-2053
7	Randy Hoffmann + Jennie <i>Randy Hoffmann + Jennie</i>	1372 FM 2952 Chico, TX 76432	940-644-2480
8	Dori Shores <i>Dori Shores</i>	104 CR 1639 Chico, TX 76431	940-644-2048
9	John & Holly House <i>John & Holly House</i>	1637 #237 Chico, TX 76431	940-644-8613
10	Nancy Carpio <i>Nancy Carpio</i>	158 CR 1637 Chico, TX 76431	940-644-35078
11	Janece Durd <i>Janece Durd</i>	1232 FM 2952 Chico, TX 76431	(940) 389-1972
12	Greg Wood <i>Greg Wood</i>	109 PR 1543 Bridgeport, TX 76426	940 393 5427
13	Cal Moore <i>CAL MOORE</i>	195 PR 1543 Bridgeport, TX 76426	940-665-2809

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14	Tammy Jean Smith and Shirley Smith	1102 PR 1311 Bridgeport TX 76426	(940) 683-5478
15	Roy Boswell Roy Boswell	134 RR 1413 Bridgeport Texas 76426	940 90 40
16	Maurice Landers Maurine Landers	148 P.R. 1313 Bridgeport Texas 76426	940-683-4439
17	Steven Combtree Steve Combtree	165 PR 1313 Bridgeport, TX 76426	817-726-2545
18	JACK WOLFE Jack Wolfe	112 PR 1307 Bridge Port TX 76426	325-260-2396
19	Stella McElung Stella McElung	PO Box 365 Bridgeport TX 76426	940-653-3061
20	LEAH ELLISON LEAH ELLISON	753 CR 1304 Bridgeport Tex.	940-210-5796
21	KENNETH A. MANN Kenneth A. Mann	421 P.R. 1758 Bridgeport TX	940-393-1803
22	William Claunch William Claunch	2941 S Hwy 101 ^{2941 S Hwy 101} Bridgeport, TX	817-504-6423
23	Galen Wiley Galen Wiley	2881 S. Hwy. 101 - Chico Bridgeport, TX	940-683-3008
24	Shelene Ray Morrow Shelene Ray Morrow	2773 S. Hwy 101 Bridgeport TX 76426	940-683-4346
25	Sandra & Jose Lopez Sandra Lopez	3109 P.R. 1526 Bridgeport, TX 76426	940-577-4981
26	Edward Terrera Edward Terrera	3167 P.R. 1525 Bridgeport TX 76426	940-393-5125
27	Lori Norris Lori Norris	289 PR 1525 Bridgeport TX 76426	940-393-5397
28	Elaine VanLansingham Elaine VanLansingham	P.O. Box 903, Chico, TX (76431) one meter - Commercial	940-210-0653

(13)

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29	BRAYD JABORS	121 SHORT STREET Bridgeport	940-255-5141
30	Andrey Simmons Andrey Simmons	230 Lake St. Bridgeport, TX	940-577-0344
31	Johnny Minton Johnny Minton	122 Short St Bridgeport TX	940 389-8012
32	Ainos Moore Ainos Moore	154 Camp Street Bridgeport TX	817 217 5666
33	Melissa Edington Melissa Edington	218 Lake St. Bridgeport TX 76426	214-732-1286
34	Wanda Ukha Wanda Ukha	243 Lake St Bridgeport TX 76426	940-389-9782
35	Pamela Gray Pamela Gray	228 Lake St. Bridgeport, TX 76426	940-683-1911
36	Alvin Largent Alvin Largent	215 Valley St Bridgeport, TX 76426	940 399 7307
37	James Clinton Cordar Clinton	413 South Lakewood Circle Bridgeport TX	940 389 7482
38	Anthony L. Denlinger Anthony L. Denlinger	377 P.R. 1520 Bridgeport TX 76426	817-988-2030
39	Monty Hale / Mary Hale	152 Bass Lane Bridgeport, TX 76426	940-389-3877
40	Jimmy DARRIS Jimmy DARRIS	195 BASS LN. BRIDGEPORT TX 76426	940)683-5573
41	Dora Caldera Dora Caldera	187 Bass Ln. Bridgeport TX 76426	940 389 9131

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42	DARRYL NORRED Darryl Norred	230 G. Rd. 1641 Chico, TX, 76431	940-644-5825
43	Lloyd E BECKworth Lloyd Beckworth	294 CR 1641 Chico, TX 76431	940-644-2609
44	Wiley Anderson Wiley Anderson	225 CR 1641 Chico TX 76431	940-644-2609
45	Johnny WEATHERLY Johnny Weatherly	316 CR 1641 Chico TX 76431	940-210-9212
46	Rodney L Williams Rodney L Williams	182 CR 3504 + 164 CR 3504 Bridgeport, TX 76426	817-991-5310
47	HARVEY L WEATHERLY Harvey Weatherly	517 FM 2952 Chico, TX, 76431	940-644-2121
48	ROGER CRAIN Roger Crain	281 CR 1641 Chico TX 76431	790-644-2273
49	William H Milam William H Milam	312 CR 1641 Chico TX 76431	940-644-2221
50	N+L Real Estate N+L Real Estate	770 N Main Lake Bridgeport TX 76426	940-393-8664
51	N+L Real Estate N+L Real Estate	780 N Main Lake Bridgeport TX 76426	940-393-8664
52	N+L Real Estate N+L Real Estate	800 N Main Lake Bridgeport TX 76426	940-393-8664
53	N+L Real Estate N+L Real Estate	810 N Main Lake Bridgeport TX 76426	940-393-8664
54	JACK NEUNER Jack Neuner	260 CR 1641 Chico TX 76431	940-644-2566
55	Raymond Brown Raymond Brown	207 CR 1641 Chico, TX 76431	682-999-0663
56	Billie Brown Billie C. Brown	259 CR 1641 Chico, TX 76431	940-644-5695

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57	Bonny Starnes Bonny Starnes	115 CR 1435 Chico TX 76431	940-210-1557
58	Cherly McBe Cherry McBe	136 CR 1137 Chico TX 76431 - 2 meters	940-210-1137
59	Melvin Mitchell / Melvin Mitchell	123 Church Lane / St. Bridgeport TX 76426 (1)	940-683-3276
60	Brian Karen Jones / Karen Jones	282 FM 1658 Bridgeport TX 76426	940-577-6001
61	Stacy Riley / Stacy Riley	315 CR 3418 Bridgeport	940-389-8110
62	MICHAEL PARSONS Michael Parsons	509 FM 1658 BRIDGEPORT TX 76426 AC 151111 & 151112	940-683-2010
63	MICHAEL PARSONS Michael Parsons	509 FM 1658 BRIDGEPORT TX 76426 AC 15	
64	Don Mitchell / Don Mitchell	101 W. Ridge St. Decatur TX 76734	940-1077-7010
65	Wanda Dixon / Wanda Dixon	1211A & 1211B & 1112 N. MAIN Bport TX 76426 (2 METERS)	940-683-5026
66	Jimmy Brown / Jimmy Brown	903 East Dr. Bport TX 76426	940-683-5242
67	Gerardo Rodriguez / Gerardo Rodriguez	1099 CR 1304 Bport TX 76426	940-399-8722
	Aleida Garcia / Aleida Garcia		
68	Bobby O'Dell / Bobby O'Dell	943 CR 1304 Bridgeport TX	940-683-4815
69	Dale Davidson / Dale Davidson	Dr 805 CR 1304 Bridgeport TX	940-273-9505
70	Dan Skelton / Dan Skelton	135 PR 1512 / Bridgeport TX 76426 2	940-313-9300
71	Dan Skelton	133 PR 1512 Bridgeport TX 76426 1	

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72	KRISTINA VIDAL / Kristina Vidal	106 PR 1316, BRIDGEPORT, TX 76426	940-213-1687
73	Jim Mercer / Jim Mercer	697 CR 1304 Bridgeport TX 76426	940-399-9791
74	Maria Escobedo / Maria Escobedo	116 Private Rd. 1305 Bridgeport TX 76426	682-203 3132
75	ENRIQUE GARCIA JR. Enrique Garcia Jr	113 PR 1305 CR Box 81 Bridgeport, TEXAS	940-683-4396
76	JERRY ATKINS / Jerry Atkins	183 PR 1305 BRIDGE TEX. 76426	940-393-0832
77	ORVILLE MUMFORD / Orville Mumford	183 PR 1305 BRIDGEPORT TEX 76426	940-683-5416
78	Mary Cox / Mary Cox	264 PR 1305 Bridgeport, TX 76426	972-815-5552
79	ELINE BIZEN / Eline Bizzen	110 PR 1307 Bridgeport, TX 76426	940-369-7153
80	JENNY FENNEL / Jenny Fennell	182 PR 1307 Bridgeport, TX 76426	940-210 4217
81	Gloria Barajas / Gloria Barajas	182 PR 1309 Bridgeport, TX 76426	940-859-1648
82	Tim Smith / Tim Smith	499 County Road 1309 Bridgeport TX 76426	940-393-5074
83	Roger York / Roger York	112 Private Road 1311 Bridgeport TX	940-683-2834
84	Jerry W. THOMAS / Jerry W. Thomas	180 PR 1311 Road 1311 Bridgeport TX	940 683-5589
85	Nita Duke / Nita Duke	138 PR 1311 Nita Duke	940-399-6114
86	David Jennings / David Jennings	180 PR 1311 Bridgeport TX	940-399-9014

5/4/2017

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87	CAVIN Riggs	169 Valley St Bridgeport 76426	9402107615
88	HAYS JACK G. Hays	147 Bass Lane Bridgeport TX 76426	940-683-9173
89	Julie Edington	263 Valley Street Bridgeport TX 76426	940-253-1810
90	Christina Pratt	183 Point St. Bridgeport TX 76426	817-994-8531
91	Bob Bruner	144 Point St. Bridgeport, TX 76426	580-420-5185
92	GRACE MAPLES	177 POINT ST. Bridgeport, TX	940-355-2893
93	Jim Smartt	279 LAKE ST. "	"
94	BOB BASHAM	290 VALLEY ST. 76426	817-366-7370
95	Julia Carpenter	111 Point St. Bridgeport 76426	940-683-5488
96	Jim Snodgrass	7044 W. State AUBURN TX 76225	940-391-6757
97	Judy Starek	1429 Kessler Irving TX 75060	214-518-9856
98	Asli Moseley	142 Biss Ln. Bridgeport TX 76426	817-455-6562
99	John Weston	115 Dock St. Bridgeport, TX 76426	940-441-4553
100	Mary Nichols	114 Dock St Bridgeport, TX 76426	940-683-2009
101	LARA HEINL	258 LAKE ST BRIDGEPORT, TX 76426	940-683-5592

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102	Ray Denton	Ray L Denton 210 PR 1543 BRIDGEPORT TX	156 641-6650
103	CRAIG SELLERS	Craig Sellers 262 RR 1573 BRIDGEPORT TX	940-210-0534
104	Billy C. Admire	1195 M. Rd 1658 Bridgeport TX	683-4179
105	Vernon & Christopher	1066 FM 2952 CHICO, TEXAS	644-2303
106	Patricia Riley	1146 FM 2952 ACCT# 228,540 CHICO TX	644-5473
107	Steven Shurbet	266 CR 1637 Chico TX 76431	644-2086
108	Terry Bissett	130 CR 1634 Chico, TX 76431	940-841-0124
109	GARY STEWART	266 PR BRIDGEPORT TX	817-319-9969
110	Gerry D Greer	PO Box 412 BRIDGEPORT TX	925-819-2991
111	CAVIN RIGGS	169 Valley St Bridgeport 76426	940 210 9615
112	Julie Edington	263 VALLEY ST BRIDGEPORT 76426	940-255-1810
113	Tiffany Remy	246 Lake St Bridgeport TX 76426	940 389-6268
114	RUSSELL BENTHAM	247 LAKE ST BRIDGEPORT, TX 76426	682-841-2974
115	Randi Garrett	147 LAKE ST Bridgeport, TX 76426	214-684-2582
116	Steve Sandwick	257 CR 1637, CHICO TX 76431	940-255-2849 368 940-644-9448

4/29/2017

Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District, 3412 FM 2952, Bridgeport, Texas 76426

The undersigned ratepayers of West West Special Utilities District (West Wise S.U.D.) hereby appeal the decision of the board of directors of the Special Utilities District affecting the rates charged to them by West Wise S.U.D. The rate change was effective on May 1, 2017 and affected the rates charged for water utility service. On April 1, 2017, the ratepayers were notified by the service provider of this rate increase. The undersigned request that the Public Utility Commission of Texas review the decision to determine if the rates established are just and reasonable. The old rates charged by the service provider are \$45.00 minimum bill plus \$3.65 for each additional 1,000 gallons and the new rates are \$74.68 minimum bill plus \$6.06 for each additional 1,000 gallons. The undersigned designate West Wise S.U.D. Customer and Park Acres Property Owner as their representative on this matter. Correspondence to the ratepayers' representative may be directed to Ms. Sharon Boyette, West Wise S.U.D. customer and Park Acres Property Owner, 103 CR 1641, Chico, Texas 76431; 940-644-6664.

117	Loretta Harris	Loretta Harris	109 CR 1635 Chico TX	940-644-0116
118	Alex Angette	Alex Angette	119 CR 1300 Bridgeport TX	940-389-6490
119	James Pruitt	James Pruitt	169 CR 1301 Bridgeport	940 683-2767
120	Bortha Hernandez	Bortha Hernandez	170 CR 1301 Bridgeport	940-244-8470
121	Tips Poyner	Tips Poyner	192 CR 1301 Bridgeport TX	817-805-0218
122	Mitch Feeley	Mitch Feeley	270 CR 1301 Bridgeport	940-389-7671
123	Mario Martinez	Mario Martinez	286 CR 1301 Bridgeport TX	940 210 2852
124	Tobie Hart	Tobie Hart	300 CR 1301 Bridgeport TX	940-393-4536
125	Pete Hart	Pete Hart	300 CR 1301 Bridgeport TX	940-577-5571
126	Bill Brisham	Bill Brisham	313 CR 1301 Bridgeport TX	940 389-6696
127	Sandra Burson	Sandra Burson	269 CR 1301 Bridgeport TX	940-683-2188
128	Michelle Annunzio	Michelle Annunzio	251 CR 1301 Bridgeport TX	940-613-8825
129	Timothy Stinson	Timothy Stinson	393 CR 1326 Bridgeport TX	580-222-5606
130	Yenice	Yenice	1230 CR 1396 Bridgeport TX	940 577-9437

15

Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District, 3412 FM 2952, Bridgeport, Texas 76426

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131	Taylor Hill Taylor Hill	405 Pigeon Ln Bridgeport TX	940-389-9160
132	Cory Hill Cory Hill	409 Pigeon Ln 144 Cottons ^{2 meters} id	817-205-6776
133	Paul Potter Paul Potter	208 Cottons Rd B'port TX	940 389-7611
134	James P. Drown J. P. Drown	219 Earp Ln B'port	214-282-1607
135	Robert Traister Robert Traister	216 Earp Ln Bridgeport, TX	940-577-5072
136	JERRY CADDELL Jerry Cadde	404 N SHORELINE BRIDGEPORT, TX	940-393-2369
137	Jerry CADDELL Jerry Cadde	433 N SHORELINE BRIDGEPORT, TX	940-393-2359
138	PAUL WAGNER Paul Wagner	402 AGUNWAY BRIDGEPORT TX	940-817-4824
139	John G. D. John G. D.	102 Boeth Bridgeport TX	940-210-8651
140	Jeannine Deringer Jeannine Deringer	101 N. Main Lake B'port TX 76426	940 393 9332
141	ALCOX Al Cox	203 N. MAIN ST LAKE B'PORT TX	940-210-9009
142	Fay Edwards Fay Edwards	401 Hilltop B' Bridgeport	817 480 0841
143	CHRIS TIGNOCCI	405 HILLTOP, BRIDGEPORT, TX	940 255-3343
144	Sean Baird Sean Baird	512 Elm Circle Bridgeport TX 76426	940 577-0576
145	MARCOS KAMRATSKI	514 Elm Circle Bridgeport 76426	940-3999953

5/5/2017

Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District, 3412 FM 2952, Bridgeport, Texas 76426

The undersigned ratepayers of West West Special Utilities District (West Wise S.U.D.) hereby appeal the decision of the board of directors of the Special Utilities District affecting the rates charged to them by West Wise S.U.D. The rate change was effective on May 1, 2017 and affected the rates charged for water utility service. On April 1, 2017, the ratepayers were notified by the service provider of this rate increase. The undersigned request that the Public Utility Commission of Texas review the decision to determine if the rates established are just and reasonable. The old rates charged by the service provider are \$45.00 minimum bill plus \$3.65 for each additional 1,000 gallons and the new rates are \$74.68 minimum bill plus \$6.06 for each additional 1,000 gallons. The undersigned designate West Wise S.U.D. Customer and Park Acres Property Owner as their representative on this matter. Correspondence to the ratepayers' representative may be directed to Ms. Sharon Boyette, West Wise S.U.D. customer and Park Acres Property Owner, 103 CR 1641, Chico, Texas 76431; 940-644-6664.

146	NEAL HOWE KATH	410 Aqueduct Bridgeport TX P.O. Box 129 Bridgeport TX 76426	214-707-2386
147	Marvin and Cory Hall	404 Pigeon Ln Bridgeport TX 76426	817-205-6776
148	Mark Snow Mary Snow	145 Robinson Bridgeport TX	940-389-3923
149	Melyndei Lilly	206 Bilby St Bridgeport	817-846-8866
150	LERIDA ARTILES	505 ELM CIRCLE BRIDGEPORT	940-683-0022
151	Tracy Mosier Tracy Mosier	603 ELM Circle Bridgeport TX	940-683-6156
152	NATALIE BURR	1015 Twin Hills Rd Bridgeport, TX 76426	940-399-8966
153	Paul Shuff	701 Twin Hills Rd. Bridgeport, TX 76426	940-683-5199
154	Judy D...	304 Collins Dr. Bridgeport TX (304 Collins Dr. Bridgeport TX)	940-389-5001
155	Carroll D. King Carroll D. King	209 Evans Bridgeport, TX	940-577-3250
156	Janet Garrett Janet Garrett	906 & 910 Sunset Lane Bpt. TX (2 meters)	940-683-5051
157	Raimond Bailey Raimond Bailey	903 Sunset Lane Bridgeport TX.	(940) 389-5414
158	M. K. FARRIS	868 Comptons Rd Bridgeport TX 76426	214-676-0717
159	Letitia Bell	506 S Main Bridgeport TX	940-393-9918
160	Judy K Miles	101 2. Lakewood Cr. Bridgeport TX	940-683-2035

5/5/2017

Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District, 3412 FM 2952, Bridgeport, Texas 76426

The undersigned ratepayers of West Wise Special Utilities District (West Wise S.U.D.) hereby appeal the decision of the board of directors of the Special Utilities District affecting the rates charged to them by West Wise S.U.D. The rate change was effective on May 1, 2017 and affected the rates charged for water utility service. On April 1, 2017, the ratepayers were notified by the service provider of this rate increase. The undersigned request that the Public Utility Commission of Texas review the decision to determine if the rates established are just and reasonable. The old rates charged by the service provider are \$45.00 minimum bill plus \$3.65 for each additional 1,000 gallons and the new rates are \$74.68 minimum bill plus \$6.06 for each additional 1,000 gallons. The undersigned designate West Wise S.U.D. Customer and Park Acres Property Owner as their representative on this matter. Correspondence to the ratepayers' representative may be directed to Ms. Sharon Boyette, West Wise S.U.D. customer and Park Acres Property Owner, 103 CR 1641, Chico, Texas 76431; 940-644-6664.

161	Luis Karwowski	604 Elm Circle Bridgeport TX 76426	940 255 5386
162	Linda K Novotny	610 Elm Circle Bridgeport TX 76426	940-255-4559
163	Helen Cryer	200 Evans Bridgeport, TX 76426	940-210-8929
164	Sean Williams	111 Evans St. Bridgeport TX 76426	940-577-4484
165	James R Wilson	245 FM RD 1204 Ackerly Tex. 76234	940-466-9955
166	Dana L. Cole	211 CR 1641 Chico, TX, 76431	940-644-8888

2.

167:

^{CARTER}
BETTY HAMBLIN

323 County Road 1637 Chico, Tx.
106 County Road 1635 Chico, Tx.
124 County Road 1637 Chico, Tex

946-644-2321

790.500 - 0648

Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District, 3412 FM 2952, Bridgeport, Texas 76426

The undersigned ratepayers of West West Special Utilities District (West Wise S.U.D.) hereby appeal the decision of the board of directors of the Special Utilities District affecting the rates charged to them by West Wise S.U.D. The rate change was effective on May 1, 2017 and affected the rates charged for water utility service. On April 1, 2017, the ratepayers were notified by the service provider of this rate increase. The undersigned request that the Public Utility Commission of Texas review the decision to determine if the rates established are just and reasonable. The old rates charged by the service provider are \$45.00 minimum bill plus \$3.65 for each additional 1,000 gallons and the new rates are \$74.68 minimum bill plus \$6.06 for each additional 1,000 gallons. The undersigned designate West Wise S.U.D. Customer and Park Acres Property Owner as their representative on this matter. Correspondence to the ratepayers' representative may be directed to Ms. Sharon Boyette, West Wise S.U.D. customer and Park Acres Property Owner, 103 CR 164 , Chico, Texas 76431; 940-644-6664.

[illegible]

Exhibit B

RESOLUTION ADOPTING CHANGE IN WATER RATES

WHEREAS, the Board of Directors of the West Wise Special Utility District (the "District") engaged the firm of NewGen Strategies & Solutions, LLC and Mr. Chris Ekrut ("NewGen") to conduct a study of the cost of water service provided by the District to its customers and to recommend changes in water rates, if necessary, to meet Texas Water Development Board requirements for funding a new water treatment plant;

WHEREAS, the Board has held public meetings at which were discussed the purpose, scope, and nature of the rate study;

WHEREAS, the Board has held a public meeting at which the rate study recommendations were discussed, which meeting was open to the public and noticed as required by the Open Meetings Act; and

WHEREAS, the Board has heard the report and recommendations of Mr. Ekrut and has reviewed the NewGen rate study, and after discussion of the rate study, the District's budget, the District's future water needs and supply, the funding of the new water treatment plant, and such other matters the Board believes are relevant, the Board adopts this Resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST WISE SPECIAL UTILITY DISTRICT THAT:

1. The water rates of the District shall be changed to the rates set forth in Exhibit "A" attached hereto, and such rates shall be included in the District's Rate Order and Service Policies; and
2. The new water rates shall be effective the 16 day of March, 2017; and
3. The District's manager shall be authorized to provide appropriate notice of the change in rates to the customers and the public.

PASSED AND APPROVED this 16 day of March, 2017.

The vote of the Board was:

6 Ayes

0 Nays

Betty Graves
President
Board of Directors

ATTEST:

Jose Garcia
Secretary
Board of Directors

Exhibit "A"

Demand Charge

Meter Size	Current	2017
Residential		
5/8" x 3/4"	\$45.00	\$74.68
1"	\$120.00	\$199.15
Commercial		
5/8" x 3/4"	\$70.00	\$117.73
1"	\$120.00	\$201.83
2"	\$360.00	\$605.49
4"	\$1,100.00	\$1,850.12

Volumetric Rate (per thousand gallons)

Consumption Ranges	Current	2017
Residential		
0-10,000	\$3.65	\$6.06
10,001 +	\$4.70	\$7.80
Commercial		
0-10,000 +	\$8.00	\$13.46

Exhibit C

West Wise Special Utility District
P.O. Box 566
Bridgeport, Texas 76426
940-683-5507 Office
940-683-6607 Fax

NOTIFICATION OF RATE INCREASES

April 1, 2017

Dear Customers,

Due to continued violations for TTHM's & HAA5's, West Wise is building a new Water Treatment Plant to correct these violations. The rate changes listed below are required for funding of the new Water Treatment Plant. The rate changes were approved on March 16, 2017, and made effective immediately by the West Wise Special Utility District Board of Directors. These changes will show up on the June billing statements for water use in May 2017. The rate changes are as follows:

<u>Residential:</u>	<u>Meter / Usage</u>	<u>Current Rate</u>	<u>New Rate</u>
Minimum:	5/8" X 3/4"	\$ 45.00	\$ 74.68
Minimum:	1"	\$ 120.00	\$ 199.15
Water Usage:	0 – 10,000 gallons	\$ 3.65 per 1,000	\$ 6.06 per 1,000
Water Usage:	10,001 gallons and up	\$ 4.70 per 1,000	\$ 7.80 per 1,000

<u>Commercial:</u>	<u>Meter / Usage</u>	<u>Current Rate</u>	<u>New Rate</u>
Minimum:	5/8" X 3/4"	\$ 70.00	\$ 117.73
Minimum:	1"	\$ 120.00	\$ 201.83
Minimum:	2"	\$ 360.00	\$ 605.49
Minimum:	4"	\$ 1,100.00	\$1,850.12
Water Usage	All Gallons	\$ 8.00 per 1,000	\$ 13.46 per 1,000

<u>Fees: (No Changes)</u>	<u>Current Charge</u>
Late Fee	\$ 27.00
Return Check Fee	\$ 35.00
Trip Fee	\$ 60.00
Inspection Fee	\$ 100.00
Disconnect Fee	\$ 50.00
Reconnect Fee	\$ 50.00
Reconnect after 5:00	\$ 100.00
Meter Test	\$ 50.00
Unauthorized Action	\$ 25.00
Damaged Equipment	\$ @ Cost to Repair
Confidentiality Fee	\$ 1.00
Regulatory Fee	\$.5%
Customer / Copy Fee	\$ 1.00 per page
Credit / Debit Card Convenience Fee	\$ 3.00 per charge

<u>Standard New Service: (No Changes)</u>	<u>Current Charge</u>	
Impact Fee	\$ 829.00	
Tap Fee	\$ 1000.00	
Deposit	\$ 300.00	
Inspection	\$ 100.00	Same
TOTAL	\$2,229.00	\$2,229.00



WEST WISE SUD ADOPTS NEW WATER RATES

At a public meeting on March 16, 2017, the Board of Directors of West Wise Special Utility District approved a rate study and adopted the recommendations of its rate consultant to increase monthly water rates. Raising rates is always a difficult decision, but it is necessary by the District in order to construct a new water treatment plant.

The District has received water quality violations from the Texas Commission on Environmental Quality ("TCEQ") and is currently under an order from the TCEQ to reduce Trihalomethanes ("TTHM") and Haloacetic Acids ("HAAS") levels. The District, through third-party engineers and consultants, conducted an extensive study to determine the cause of the problems and the most cost-effective way to reduce the levels and gain compliance.

The District's existing water treatment plant was placed into service in the 1970s. Although it had an expected service life of 20-30 years, the District has continued to use it for over 45 years. At the time it was designed and installed, the plant complied with all applicable water quality regulations. However, over time, the health-based water quality criteria have changed and become stricter. Combined with drought recovery and the age of the plant, these stricter regulations result in the District's current non-compliance.

Since 2015, the District considered numerous options for corrective action, including constructing a new conventional water treatment plant, rehabilitating and converting the existing plant, and purchasing treated water from Walnut Creek Special Utility District. The District also hired third-party consultants and conducted a feasibility study. Engineers, including an environmental engineer, structural engineer,

and geotechnical engineer evaluated the existing plant and its location and determined that there were significant foundation and slope issues which made repair and upgrade of the plant in its existing location impractical and unaffordable. And, purchasing water from Walnut Creek Special Utility District would be extremely expensive due to additional infrastructure costs and the high cost of the water. Ultimately, the feasibility study determined that the most cost-effective corrective action was the construction of a new water treatment plant in a new location. TCEQ inspections of the existing plant agreed with this assessment of plant replacement.

In September 2016, the District submitted applications for funding from the Texas Water Development Board ("TWDB") to construct the new plant. The District also hired a rate consultant who performed a rate study evaluating all of the District's expenses, including those associated with its to-be-acquired funding from the TWDB, and the District's existing revenues. The District held multiple meetings open to the public where the rate consultant's analysis, the scope of the consultant's work, and, ultimately, the consultant's recommendation were discussed and considered.

The new rates, a summary of which are included on the next page, are effective immediately and will show up on June billings for water use in May 2017. However, with the passage of time and the necessity of constructing the new water treatment plant, this current adjustment is necessary. The District appreciates your support. If you have any questions regarding these new rates, do not hesitate to contact the District's office.

Exhibit D

DOCKET NO. 47288

RATE PAYERS' APPEAL OF THE DECISION BY WEST WISE SPECIAL UTILITY DISTRICT TO CHANGE RATES	§ § § § §	BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
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AFFIDAVIT OF DARCIE WHITE

**STATE OF TEXAS §
 §
COUNTY OF WISE §**

Before me, the undersigned notary, on this day, personally appeared Darcie White, a person whose identity is known to me, who upon having first been duly sworn, did under oath depose and state:

1. My name is Darcie White. I am over the age of 18, I am of sound mind, and I have never been convicted of a felony. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am the Office Manager of the West Wise Special Utility District ("West Wise"). I have been in this position for three years. Prior to my promotion to Office Manager, I served as Assistant Office Manager at West Wise for nine years. As Office Manager, my duties include printing and mailing the monthly water bills to customers, and I also receive and credit payments for those bills. I also update and maintain the West Wise customer account files, which include both physical files and electronic files.

3. On March 16, 2017, in a duly-noticed public meeting, the board of directors considered a proposal to change rates, and unanimously voted to approve a rate increase. A true and correct copy of the Resolution Adopting a Change in Water Rates from West Wise's Board

Meeting on March 16, 2017 is attached as Exhibit B to the Statement of Review of Petition Signatures (“Statement”).

4. On April 1, 2017, included with each customer’s water bill, West Wise sent a courtesy letter to all of its customers informing them of the approved rate change. A true and correct copy of West Wise’s courtesy letter to its customers is attached as Exhibit C to the Statement.

5. I have reviewed West Wise’s customer account files and have determined that West Wise had 1,013 ratepayers eligible to appeal the rate decision. To arrive at that total, I reviewed the standard in Texas Water Code § 13.043(d) for who constitutes a ratepayer eligible to appeal. I pulled a historical report of all of West Wise’s customer accounts as of March 31, 2017. The report showed the total number of customer accounts at the end of March, 2017 was 1,248. Some West Wise customers have multiple accounts and some of the accounts are inactive. Therefore, I subtracted 114 accounts (customers with multiple accounts) and 121 inactive accounts from the total March accounts (1,248), to arrive at the accurate number of West Wise ratepayers who were affected by the rate decision, which was 1,013. Additionally, I determined the number of active connections was 1127.

6. To determine the number of valid ratepayer signatures on the Petition to Appeal Rates Established by the Board of Directors West Wise Special Utilities District (“Petition”), I pulled and reviewed the physical and electronic files of each customer account based upon the names on the Petition and for each address listed on the Petition. My findings are summarized in the table below.

7. In reviewing the Petition, I found that some signatures had multiple defects, and those are described in the table below. But, to arrive at an accurate count of valid signatures, I

only removed from the valid signature count an invalid signature one time (as tallied in the “Removed” column in the table below), irrespective of the number of defects in that signature.

8. Missing Information. I scrutinized each line of the Petition to ensure that the information required by 16 Tex. Admin. Code § 24.42 was included for each signature line. Six signers did not include a printed name, seven contained illegible information, ten did not include a sufficient address or phone number, two did not include a residential address, and two of the addresses are not the address serviced by West Wise for that account.

9. Duplicates. I compared the names and addresses on the Petition to each other and found that six were duplicates of ratepayers already counted and five were duplicates of service addresses already counted.

10. Not Eligible to Appeal. I compared the names and addresses listed on the Petition, as well as the signatures on the Petition to West Wise’s account records. I determined that four signers are not account holders or the spouses of account holders, two service addresses represent inactive accounts, and four of the addresses are not serviced by West Wise.

11. Invalid Signature. I reviewed the Petition signatures to determine if they were properly signed by a ratepayer. Eight entries contained no signature, and three of the signatures contain more than one name. Four of the purported signatures are forgeries of deceased account holders. Twenty additional signatures do not match the signature on file with West Wise, and three of those signatures are misspellings of the ratepayer’s name.

12. The following table reflects a true and correct description of the defects I found in the Petition as well as the corresponding Petition line numbers for each category of defect.

<u>Defect</u>	<u>Petition Line Number and Notes</u>	<u>Removed</u>
<u>Missing Information</u>		
No printed name	145 ¹ , 147, 149, 153, 154, 169	5
Illegible	15, 48, 70, 101, 102, 112, 138	7
Insufficient address	9 (No Street listed), 19 (PO Box only), 28 (PO Box only), 109 (Missing PR #)	4
Missing or insufficient phone number	93, 15 ² , 71 ³ , 105, 106, 107	4
No residential address listed	33 & 91: the account holders live in Grand Prairie, and Duncan, OK, respectively, where they receive their billing statements.	2
Address listed is not service address	72, 83	2
<u>Duplicates</u>		
Duplicate Name	50-53 (subtracted 3); 62-63; 70-71; 136-137	6
Duplicate Address	124 & 125; 87 & 111; 89 & 112; 131 & 132 & 147 (subtracted 2 of these 3)	5
<u>Not Eligible to Appeal</u>		
Not Account Holder or Spouse	10, 80, 82, 168	4

¹ Some Petition entries contained more than one defect. This entry did not include a printed name, but it was not removed here to avoid double-counting. It was removed because the signature on file does not match the signature on the Petition.

² Not removed here to avoid double-counting. Removed as illegible.

³ Not removed here to avoid double-counting. Removed as a duplicate entry.

Inactive Account	55, 93 ⁴	1
Address not serviced by West Wise SUD	64(serviced by Walnut Creek SUD); 97 (serviced by the City of Irving); 158 (serviced by the City of Decatur); 96 (serviced by the City of Alvord)	4
<u>Invalid Signature</u>		
No Signature	68, 94, 130, 143, 150, 154 ⁵ , 160, 167	7
Signature on File Doesn't Match and Purported Signer Deceased	36, 46, 104, 18	4
Signature on File Doesn't Match Signature on Petition	22, 31, 32, 34, 48 ⁶ , 74, 89 ⁷ , 92, 100, 101 ^{*8} , 105, 112 ⁹ , 115, 125, 142, 145, 166,	13
Signature on File Doesn't Match and Name Misspelled	138 ¹⁰ (Correct spelling is Page Wagner); 139 (correct spelling is "John Gill"); 29 (correct spelling is "Bryan")	2
One signature containing two names	5, 7, 169 ¹¹	2
Total		72

13. The total defects in signatures I identified numbered 83. These defects render 72 of the 169 signatures invalid. Therefore, the correct number of proper ratepayer signatures contained in the Petition is 97.

⁴ Not removed here to avoid double-counting.

⁵ Not removed here to avoid double-counting.

⁶ Not removed here to avoid double-counting. Removed as illegible.

⁷ Not removed here to avoid double-counting. Removed as duplicate.

⁸ Not removed here to avoid double-counting. Removed as illegible.

⁹ Not removed here to avoid double-counting.

¹⁰ Not removed here to avoid double-counting. Removed as illegible.

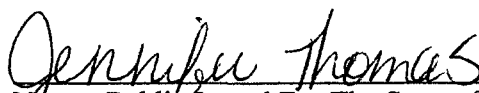
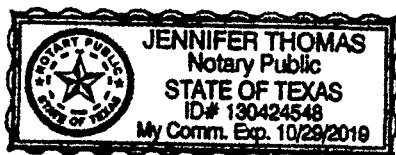
¹¹ Not removed here to avoid double-counting.

Further, affiant sayeth not.



Darcie White
Office Manager, West Wise SUD

SWORN TO and SUBSCRIBED before me by Darcie White on July 21, 2017.



Notary Public In and For The State of Texas