



Control Number: 47712



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PUBLIC UTILITY COMMISSION
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COMPLAINT OF NAOMI BARRON
AGAINST LONGSPUR CROSSING
APARTMENTS AND WESTDALE
MANAGEMENT

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

COMMISSION STAFF'S LIST OF ISSUES

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to the Order of Referral files this List of Issues. Staff recommends that certain below listed issues be adopted in the Commission's forthcoming Preliminary Order and that other issues not be included. In support thereof, Staff shows the following:

I. PROPOSED LIST OF ISSUES

In the Order of Referral, the administrative law judge stated that Staff may file a list of issues to be addressed in this docket by December 15, 2017. Therefore, this pleading is timely filed.

Staff submits the following issues for consideration in this proceeding:

1. Did Longspur Crossing Apartments (Longspur) and Westdale Management (Westdale)(collectively, Respondents) comply with 16 Tex. Admin. Code § 24.123 (TAC) with respect to Longspur's rental agreement with Naomi Barron (Complainant)?
2. Did Respondents comply with 16 TAC § 24.124 regarding charges and sub-metering?
3. Did Respondents comply with 16 TAC § 24.125 with respect to Respondents' billing practices and billing dispute process?
4. If Respondents did not comply with the Commission Rules, what is the appropriate remedy?
5. If Complainant has been billed improperly, is she owed a refund? If so, what is the amount of refund owed?
6. Are the Respondents using a sub-metering system to bill its tenants for water service? Have the Respondents used a sub-metering system in the past?
7. If the Respondents were not using a sub-metering system during the period of Complainant's lease, how were they allocating water charges among its tenants? Have the Respondents

changed their allocation method for water charges since the inception of Complainant's lease in June 2015?

8. What information appears on the water bills that the Respondents send to its tenants? Have the Respondents added or subtracted information that appears on its water bills since June 2015? If so, what information was added or subtracted and when did this occur?
9. What information appeared on Complainant's lease agreement with Respondents regarding Respondents' billing for water service?
10. What water billing records have Respondents made available to Complainant and when were they made available?
11. Have Respondents synchronized its billing period up to the billing period used by its retail water service supplier? If not, why not?

II. PROPOSED ISSUES NOT TO BE ADDRESSED

Staff has not identified any issues not to be addressed in this proceeding.

III. CONCLUSION

Staff respectfully requests that the Commission issue a Preliminary Order including the above issues to be addressed in this proceeding.

DATE: December 13, 2017

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

A handwritten signature in black ink, reading "Rachelle Nicolette Robles". The signature is written in a cursive style and is positioned above a horizontal line.

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on December 13, 2017, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to read "Rachelle Nicolette Robles". The signature is written in a cursive style with a large initial "R".

Rachelle Nicolette Robles