



Control Number: 47767



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DOCKET NO. 47767
SOAH DOCKET NO. 473-18-1005

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NOTICE OF VIOLATION BY CHUCK §
BELL WATER SYSTEMS LLC OF §
TEXAS WATER CODE § 13.131, AND §
OTHER PROVISIONS OF THE §
WATER CODE, AND 16 TAC § 24.21, §
AND OTHER RULES OF THE PUBLIC §
UTILITY COMMISSION §

BEFORE THE STATE OFFICE,
PUBLIC UTILITY COMMISSION,
FILING CLERK
OF

ADMINISTRATIVE HEARINGS

**COMMISSION STAFF'S FIRST SET OF REQUESTS FOR INFORMATION AND
REQUESTS FOR ADMISSION TO CHUCK BELL WATER SYSTEMS LLC**

The Staff of the Public Utility Commission of Texas (Commission) requests that Chuck Bell Water Systems LLC (CBWS) provide the following information and answer the following questions under oath. The questions shall be answered in sufficient detail to fully present all of the relevant facts by April 17, 2018. Please copy the question immediately above the answer to each question. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. 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, if applicable.

DATE: March 28, 2018

Respectfully Submitted,

Robert M. Long
Division Director
Oversight and Enforcement Division
State Bar No. 12525500



W. Patrick Dinnin
Attorney
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SOAH DOCKET NO. 473-18-1005
PUC DOCKET NO. 47767

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 28th day of March, 2018 in accordance with 16 Tex. Admin. Code § 22.74.



W. Patrick Dinnin

**COMMISSION STAFF'S FIRST SET OF REQUESTS FOR INFORMATION AND
REQUESTS FOR ADMISSION TO CHUCK BELL WATER SYSTEMS LLC**

DEFINITIONS

- A. CBWS refers to Chuck Bell Water Systems LLC and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- B. "Staff" means the staff of the Public Utility Commission of Texas.
- C. "Commission," "PUC," or "PUCT" means the Public Utility Commission of Texas.
- D. "You" or "your" refers to the party to which this Request is directed as well as its agents, employees, attorneys, officers, and directors.

INSTRUCTIONS

- 1. Pursuant to 16 Tex. Admin. Code § 22.144(c)(2) (TAC), Staff requests that answers to the requests for information be made under oath.
- 2. Please copy the question immediately above the answer to each question. 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.
- 3. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7. Pursuant to 16 TAC § 22.141(a), a person is required to produce a document or tangible thing that is within such person's possession, custody, or control.
- 8. Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

**COMMISSION STAFF'S FIRST SET OF REQUESTS FOR INFORMATION AND
REQUESTS FOR ADMISSION TO CHUCK BELL WATER SYSTEMS LLC**

- RFI 1-1 Please provide the number of customers CBWS had in 2016.
- RFI 1-2 Please provide a list of all customers CBWS had in 2016, including contact information for each customer.
- RFI 1-3 Please provide copies of all Commission approved tariffs in use by CBWS in 2016.
- RFI 1-4 In Docket No. 46996, Application of Chuck Bell DBA Chuck Bell Water System, LLC and Undine Texas, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Johnson and Tarrant Counties, Commission Staff found the application deficient. The deficiency was due to portions of CBWS' certificate of convenience and necessity (CCN) map showing geographical areas overlapping with the CCNs of the City of Cleburne and Johnson County SUD. Please provide any decertification or dual certification agreements from the City of Cleburne for an overlapping portion with CCN No. 10917 and from Johnson County SUD for the requested overlapping portion with CCN No. 10081.
- RFI 1-5 Please provide the number of instances CBWS has refused to serve or delayed service to an applicant from January 1, 2016 through December 31, 2017.
- RFI 1-6 For each refusal or delay identified in response to RFI 1-5, please provide the following:
1. applicant's name,
 2. applicant's service address,
 3. the reason for the refusal or delay,
 4. a copy of the written notice, if any, provided to the applicant, giving the reason for the refusal or delay,
 5. whether the applicant was subsequently provided service; and if so,
 6. the basis or reason such service was provided.

The RFIs 1-7 through 1-11 relate to complaint CP2016050575 filed by Mr. Paul Worlow against CBWS through the Commission's Customer Protection Division (CPD).

- RFI 1-7 Please confirm Mr. Worlow's residence at 4608 Chisholm Trail in Crowley, Texas is within CBWS' CCN service area.
- RFI 1-8 Please explain why CBWS refused to provide service to Mr. Worlow's residence.

- RFI 1-9 Please provide a copy of any written refusal to provide service that CBWS sent to Mr. Worlow.
- RFI 1-10 Confirm whether CBWS provided service to Mr. Worlow. If so, please identify the date service was provided and explain the circumstances that allowed CBWS to provide service.
- RFI 1-11 Please provide any and all written communications, including but not limited to, text messages or emails between CBWS or any of its representatives and Mr. Worlow concerning water service, or refusal of such service, from CBWS.

The RFIs 1-12 through 1-17 relate to complaint CP2017090576 filed by Mr. Wesley Wester against CBWS through the Commission's CPD.

- RFI 1-12 Please confirm Mr. Wester's residence at 916 Sanders Rd in Cleburne, Texas is within CBWS' CCN service area.
- RFI 1-13 Please state whether CBWS disconnected Mr. Wester's service at 916 Sanders Rd in Cleburne, Texas on or about September 19, 2017. If so, please state the reason for the disconnection.
- RFI 1-14 Please explain why CBWS refused to provide service to Mr. Wester's residence.
- RFI 1-15 Please provide a copy of CBWS' written refusal to provide service that CBWS sent to Mr. Wester.
- RFI 1-16 Confirm whether CBWS provided service to Mr. Wester. If so, please provide the date CBWS provided service and explain the circumstances that allowed CBWS to provide service.
- RFI 1-17 Please provide any and all written communications, including but not limited to, text messages or emails between CBWS or any of its representatives and Mr. Wesley Wester concerning water service, or refusal of such service, from CBWS.
- RFI 1-18 Please provide the number of bills CBWS issued to customers in 2016.
- RFI 1-19 Please provide copies of all bills CBWS issued in 2016 to the following three customers:
1. Gregory Bostic, Account #113
 2. Becky Sisk, Account #31
 3. Kevin and Pam Jasick, Account #235
- RFI 1-20 Please provide the number of disconnection notices for non-payment that CBWS issued to customers in 2016.

- RFI 1-21 Please provide copies of all disconnection notices for non-payment that CBWS issued to customers in 2016.
- RFI 1-22 Please provide the number of disconnections for non-payment CBWS performed in 2016.
- RFI 1-23 Please provide the number of reconnections following disconnection for non-payment that CBWS performed in 2016.
- RFI 1-24 Please provide the total amount of reconnection fees CBWS collected in 2016.
- RFI 1-25 Please provide the total number of reconnections CBWS performed after regular business hours in 2016.
- RFI 1-26 Please provide the total amount of after hour reconnection fees CBWS collected in 2016.
- RFI 1-27 Please provide the number of instances CBWS charged late fees in 2016.
- RFI 1-28 Please provide the total amount of late fees charged in 2016.
- RFI 1-29 Please describe CBWS' record keeping system, including details as to whether any hard copies are kept and whether any digital backups are ever made.
- RFI 1-30 Please confirm CBWS experienced a computer crash resulting in a loss of records in 2016.
- RFI 1-31 Please explain the actions CBWS took after the computer crash in 2016 to recover any lost data.
- RFI 1-32 Please explain how CBWS's other operations were influenced by the computer crash. Please detail how the crash affected CBWS's records on customers' usage, amounts owed, agreements, etc.
- RFI 1-33 Please provide any and all written communications, including but not limited to, text messages or emails, from 2015 to present, between Mr. Chuck Bell and customers of CBWS concerning disconnections, disconnection fees, discontinuance of service, refusal or delays in service, non-payment of services by a previous owner of the property, or an open investigation or complaint at the public utility.