



Control Number: 47897



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SOAH DOCKET NO. 473-18-3008.WS
DOCKET NO. 47897

APPLICATION OF FOREST GLEN § BEFORE THE
UTILITY COMPANY TO CHANGE § PUBLIC UTILITY COMMISSION
RATES § OF TEXAS.

**FOREST GLEN UTILITY COMPANY'S RESPONSE TO CECIL PERKINS' FIRST
REQUEST FOR INFORMATION**

TO CECIL PERKINS, 196 Misty Dawn, Castroville, Texas 78009.

COMES NOW, Forest Glen Utility Company ("Applicant" or "FGU") and submits this Response to Intervenor Cecil Perkins' First Request for Information pursuant to Tex. R. Civ. P. 190 through 198 and 16 Tex. Admin. Code § 22.144 ("TAC"). Pursuant to 16 TAC § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

Helen S. Gilbert
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2018 JUL 23 AM 10:25
FILED
PUBLIC UTILITY COMMISSION
CLERK

By: Helen S. Gilbert
Helen S. Gilbert

**ATTORNEYS FOR FOREST GLEN
UTILITY COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 23rd of July 2018.

Helen S. Gilbert

Helen S. Gilbert

**RESPONSE TO CECIL PERKINS' FIRST REQUEST FOR INFORMATION TO
FOREST GLEN UTILITY COMPANY**

QUESTION NOS.

Request for Admission No. 1-1: Admit, in addition to receiving cost for services from Potranco Ranch homeowners, FGU has receives [sic] income from Potranco Ranch homebuilders upon connection of water services.

RESPONSE: Admit. Complete documentation is provided in the Application for Rate Increase and the Annual Reports filed with the PUC.

Request for Admission No. 1-2: Admit, in addition to FGU receiving cost for monthly services from Potranco Ranch homeowners, FGU receives annual income from Potranco Ranch homeowners through the Potranco Ranch Public Improvement District for service expansion and improvements.

RESPONSE: Deny.

Request for Admission No. 1-3: Admit, the Potranco Ranch Public Improvement District fee is collected by FGU in the same matter as property tax for homeowners.

RESPONSE: Deny.

Request for Admission No. 1-4: Admit, money collected annually by FGU through the Potranco Ranch Public Improvement District is not a tax.

RESPONSE: Deny.

Request for Admission: No. 1-5: Admit, prior to January 1, 2016, the sewer rate charged by FGU was a variable rate.

RESPONSE: FGU is unable to admit or deny the request as written, because the term "variable rate" is not defined within the definition section of these Requests or PUC rule, is vague, ambiguous, and subject to multiple meanings. However, if you mean to ask whether the rate charged for wastewater services was less than the amount authorized by FGU's tariff of \$35/mos., then admit.

Request for Admission No. 1-6: Admit, prior to January 1, 2016, FGU communicated the sewer rate was calculated using Yancey's water rates plus a 60% up-charge.

RESPONSE: Deny.

Request for Admission No. 1-7: Admit, using incorrect Yancey water rate information could result in a miscalculation of cost of services by FGU to Potranco Ranch homeowners.

RESPONSE: FGU is unable to admit or deny the request as written, because the terms "Yancey water rate information" and "miscalculation of cost of services" are not defined within the definition section of these Requests or PUC rule, are vague, ambiguous, and subject to multiple meanings. Yancey's water rate information has nothing to do with FGU's proposed rate increase.

Request for Admission No. 1-8: Admit, the \$12 sewer rate (\$12.12 per Yancey) charged by FGU between 2013 and 2015, as stated in FGU's rate increase letter dated October 7, 2015, pertained to homebuilders and not homeowners.

RESPONSE: Deny.

Request for Admission No. 1-9: Admit, billing line-item descriptions are not consistent among all FGU customers receiving the same services.

RESPONSE: Deny.

Request for Admission No. 1-10: Admit, paying more for non-potable water than potable water is unreasonable.

RESPONSE: Deny. Customers pay less for reuse water by approximately 54%.

Request for Admission No. 1-11: Admit, a monthly recurring cost of \$21.10 for the "Reuse Meter" is highly expensive and unreasonable as compared to the cost of services provided.

RESPONSE: Deny.

Request for Admission No. 1-12: Admit, the cost FGU's reusable water and sewer services cost are more than potable water services.

RESPONSE: FGU is unable to admit or deny the request as written, because the term "more than potable water services" is not defined within the definition section of these Requests or PUC rule, is without context, vague, ambiguous, and subject to multiple meanings. However, reuse, wastewater, and potable water services are all different with different costs.

Request for Admission No. 1-13: Admit, the affidavit attached to the "Notice of Proposed Rate Change," effective July 6, 2018, was notarized on May 30, 2018 and signed by FGU executive on June 1, 2018.

RESPONSE: Deny.

Request for Admission No. 1-14: Admit, a business interest exists between Mr. Harry Hausman, FGU Manager, with the following: Hausman Holdings LLC, Forest Glen Utility Company, 320 Potranco Ranch LLC, and Yancey Water Supply Corporation.

RESPONSE: FGU is unable to admit or deny the request as written, because the term "business interest" is not defined within the definition section of these Requests or PUC rule, is vague, ambiguous, and subject to multiple meanings. Mr. Hausman is the president and shareholder of FGU and a managing member of 320 Potranco Ranch LLC. Yancey Water Supply Corporation is a non-profit water supply corporation owned by its customers, not Mr. Hausman. Yancey Water Supply Corporation bills and collects fees from Potranco Ranch Subdivision customers on behalf of FGU.

Request for Admission No. 1-15: Admit to receiving an email on October 13, 2015 from Mr. Cecil Perkins, requesting a copy of the contractual agreement between FGU and Mr. Perkins for water services and being referred to the HOA Declaration of Covenants, Conditions and Restrictions for the requested information.

RESPONSE: Admit.

Request for Admission No. 1-16: Admit, FGU's "Wastewater and Reuse Water Service Agreements" was sent to Potranco Ranch customers starting in January 2016.

RESPONSE: Admit.