

Control Number: 47912



Item Number: 63

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RATEPAYERS' APPEAL OF THE §
DECISION BY SOUTH CENTRAL §
CALHOUN COUNTY WATER §
CONTROL AND IMPROVEMENT §
DISTRICT NO. 1 TO CHANGE RATES §

BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

SECOND SUPPLEMENTAL DIRECT TESTIMONY OF NATASHA MARTIN

on behalf of

SOUTH CENTRAL CALHOUN COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 1

SUBMITTED ON October 11, 2019

63

SECOND SUPPLEMENTAL DIRECT TESTIMONY OF NATASHA MARTIN

LIST OF EXHIBITS

EXHIBIT	DESCRIPTION
DISTRICT EXHIBIT 46	Supplemental Direct Testimony of Natasha Martin
DISTRICT EXHIBIT 47	Legal Rate Case Expenses - Graves Dougherty Invoices After June 18, 2018 to August 31, 2019
DISTRICT EXHIBIT 48	Chart of Rate Case up to August 31, 2019 Expenses with Surcharge Formula

DOCKET NO. 47912

**RATEPAYERS' APPEAL OF THE § BEFORE THE
DECISION BY SOUTH CENTRAL §
CALHOUN COUNTY WATER § PUBLIC UTILITY COMMISSION
CONTROL AND IMPROVEMENT §
DISTRICT NO. 1 TO CHANGE RATES § OF TEXAS**

SECOND SUPPLEMENTAL DIRECT TESTIMONY OF NATASHA MARTIN

I. INTRODUCTION

1 Q. Please state your name and business address.

**2 A. My name is Natasha Martin. My business address is 401 Congress Ave, Suite 2700,
3 Austin, Texas 78701.**

4 Q. On whose behalf are you testifying in this proceeding?

**5 A. I am filing testimony on behalf of the South Central Calhoun County Water Control and
6 Improvement District No. 1 ("District").**

7 Q. By whom are you employed?

8 A. The law firm of Graves Dougherty Hearon & Moody, PC ("GDHM").

9 Q. What is your title at GDHM?

10 A. Associate Attorney.

11 Q. Have you previously provided testimony on behalf of the District in this proceeding?

**12 A. Yes. I provided prefiled direct testimony on June 18, 2018 and prefiled supplemental
13 direct testimony on August 31, 2018, both on behalf of the District.**

14 Q. What is your purpose of providing supplemental testimony at this time?

**15 A. Since my supplemental testimony was filed in August 2018, the District incurred
16 additional rate case expenses in an attempt to resolve this proceeding. I am providing**

1 those additional expenses and testimony in support of the reasonableness and necessity of
2 those expenses.

3 **Q. What legal rate case expenses did the District incur since your earlier testimony?**

4 A. The District incurred rate case expenses for work conducted by our law firm. My earlier
5 testimony included legal expenses through July 31, 2018 totaling \$41,669.93. Beginning
6 August 1, 2018 and progressing through August 31, 2019, I have submitted bills totaling
7 \$21,389.97. A true and correct copies of GDHM's invoices are attached DISTRICT
8 EXH. 47.

9 **[DISTRICT OFFERS DISTRICT EXH. NO. 47]**

10 **Q. Do you believe these legal rate case expenses were reasonable and necessary to**
11 **properly pursue this matter on behalf of the District?**

12 A. Yes. I have reviewed the billings of GDHM for legal services from August 1, 2018 to
13 August 31, 2019 in connection with the District's defense of its rates. For the period
14 August 1, 2018 through August 31, 2019, GDHM billed \$21,389.97. These fees and
15 expenses were necessary for the legal representation of the District. The legal work
16 included finalizing the settlement agreement with PUC Staff and the Ratepayers'
17 Representative and reviewing associated Commission filings, reviewing Proposed Order,
18 coordinating with PUC Staff on a filing for corrections to Proposed Order, preparing for
19 Open Meeting by reviewing Commission memorandums and preparing responses to
20 issues raised, reviewing Commission Order and conferencing with PUC staff regarding
21 the applicable ratemaking standard, updating the utility surcharge amount, and
22 communication with the parties.

1 To reduce rate case expenses, my direct testimony and this supplemental
2 testimony and exhibits were prepared at no cost to the District.

3 I affirm that GDHM's billings accurately reflect the time spent and expenditures
4 incurred by GDHM on the District's behalf. None of the charges billed to the District
5 have been recovered by the District through reimbursement for other expenses. The time
6 spent by Ms. Keeney, myself, and our law firm was reasonable and necessary to defend
7 the District in this proceeding.

8 **Q. What are the District's total rate case expenses?**

9 A. Including the expenses provided in my earlier testimony, the rate case expenses total
10 \$62,007.63. This amount does not include the engineering and legal expenses incurred
11 by the District to prepare additional testimony to supplement the record as requested in
12 Order No. 4 and the May 3, 2019 Order. The District reserves the right to file additional
13 testimony to provide those expenses. A summary of rate case expenses up to August 31,
14 2019 is provided in a chart attached as DISTRICT EXH. 48.

15 **[DISTRICT OFFERS DISTRICT EXH. NO. 48]**

16 **III. RECOMMENDATIONS**

17 **Q. What are your recommendations?**

18 A. Based upon my review of the rate case expenses, at this time, I recommend that the
19 District be allowed to recover the reasonable and necessary rate case expenses of
20 \$62,007.63. This number will be supplemented as the case proceeds before the
21 Commission.

22 **Q. Are DISTRICT EXS. 46 - 48 an accurate representation of what they purport to be?**

23 A. Yes.

1 **Q. Does this conclude your pre-filed supplemental direct testimony?**

2 **A. Yes. I have no further testimony, other than my right to supplement or amend this**
3 **testimony as may be appropriate.**

AFFIDAVIT

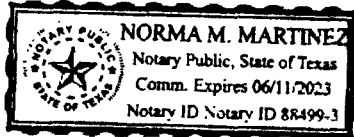
STATE OF TEXAS

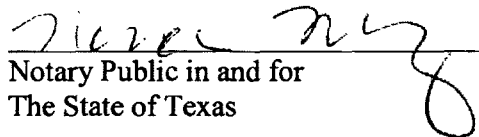
COUNTY OF TRAVIS

I am the witness identified in the preceding testimony. I have read the testimony and the accompanying attachments and am familiar with their contents. Based upon my personal knowledge, the facts stated in the testimony are true and correct. In addition, in my judgment and based upon my professional experience, the opinions and conclusions stated in the testimony are true, valid and accurate.


Natasha J. Martin

SUBSCRIBED TO AND SWORN before me on this 11th day of October, 2019.




Notary Public in and for
The State of Texas

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on the following parties of record on October 11, 2019 via Email.

Windell Durant
555 La Lucia St.
Port Lavaca, Texas 77979
(817) 559-4802 Phone
wldurant76@gmail.com
DESIGNATED RATEPAYERS REPRESENTATIVE

John Harrison
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3336
(512) 936-7277 Phone
(512) 936-7268 Fax
John.Harrison@puc.texas.gov
*PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION*



Natasha J. Martin



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MOODY**

A Professional Corporation

PO Box 98, Austin, Texas 78767
(512) 480 - 5600
www.gdhm.com
Employer I.D. #74-2587674

South Central Calhoun County Water Control and
Improvement
District No. 1
PO Box 833
Port Lavaca, TX 77979
EMAIL INVOICES TO: scccwcid1ta@yahoo.com

September 7, 2018
Invoice 348617

REMITTANCE COPY

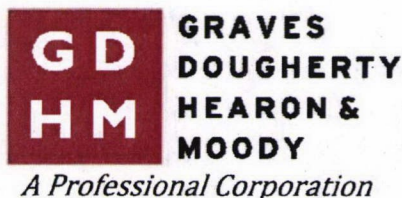
Our File No. A31544.1
Rate Case

For Services Through August 31, 2018

Original Fees for Professional Services	\$	4,750.50
Less Discount	\$	(475.05)
Total Fees for Professional Services	\$	4,275.45
Total Reimbursable Costs	\$	7.50
NET CURRENT BILLING FOR THIS FILE	\$	4,282.95
PREVIOUS BALANCE DUE (Disregard if Paid)	\$	13,819.97
PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$	18,102.92

Please remit payment upon receipt to: Graves, Dougherty, Hearon & Moody P.O. Box 98, Austin, Texas 78767
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September 7, 2018
Invoice 348617

Our File # A31544.1
Rate Case

For Services Through August 31, 2018

- 08/02/18 Summarize amounts for all rate case expenses for PUC review; Calculate surcharge; Prepare correspondence to the TCEQ regarding all expenses;
Natasha J. Martin 1.10 Hours
- 08/02/18 Review and revise invoices to include discounts (No Charge);
Natasha J. Martin .00 Hours
- 08/02/18 Correspond with S. Mason and D. McClanahan regarding rate case expenses; Review consultant invoices;
Natasha J. Martin .20 Hours
- 08/06/18 Attention to PUC staff's request for redaction of bills; Review selected portions of redactions and intraoffice conference with N. Martin regarding same;
Mary A. Keeney .50 Hours
- 08/06/18 Review invoices, calculate surcharge, revise settlement agreement, confer with T. Atkins regarding same; Provide to parties (No Charge);
Natasha J. Martin .00 Hours
- 08/13/18 Intraoffice conferences with N. Martin regarding PUC staff adjustments to settlement agreement;
Mary A. Keeney .20 Hours
- 08/13/18 Confer with the PUC regarding the comments on the agreement; Review proposed changes in the agreement; Confer with T. Atkins regarding proposed changes; Revise agreement in light of comments from T. Atkins;

	Natasha J. Martin	.90 Hours
08/14/18	Contact TCEQ to find out how a water district that collects a regulatory assessment fee can participate in training (No Charge);	
	Hailey L. Suggs	.00 Hours
08/14/18	Review and edit motion to abate;	
	Mary A. Keeney	.20 Hours
08/14/18	Review and revise the draft settlement agreement in light of comments from the PUC and T. Atkins;	
	Natasha J. Martin	.70 Hours
08/14/18	Prepare joint motion to abate scheduling order; Coordinate with parties for review and approval;	
	Natasha J. Martin	1.00 Hours
08/15/18	Confer with O. Spencer regarding training and settlement procedure;	
	Natasha J. Martin	.40 Hours
08/17/18	Review PUC's motion to abate; Correspond with PUC regarding agreement in principal	
	Natasha J. Martin	.20 Hours
08/20/18	Review revised settlement agreement provided by O. Spencer; Finalize and provide to T. Atkins; Draft agenda language for the Board meeting;	
	Natasha J. Martin	.70 Hours
08/20/18	Research precedents for content of final order (No Charge);	
	Natasha J. Martin	.00 Hours
08/21/18	Review agenda posting; Correspond with the parties to provide the posting; Review changes to settlement provided by O. Spencer;	
	Natasha J. Martin	.30 Hours
08/23/18	Prepare resolution for settlement agreement; Review file for facts to include;	
	Natasha J. Martin	.70 Hours
08/24/18	Correspond with PUC regarding the District Board meeting; Provide materials to the PUC;	
	Natasha J. Martin	.30 Hours

08/27/18	Prepare amended supplemental testimony to submit the final rate case expenses; Review exhibits for supplemental testimony; Prepare exhibits (No Charge); Natasha J. Martin	.00 Hours
08/27/18	Correspond with the PUC regarding filing documents; Compile documents for supplemental testimony; Review and revise the joint motion to remand; Natasha J. Martin	1.30 Hours
08/28/18	Review mediation documents for confidentiality; Correspond with T. Atkins and G. Aguirre regarding supplemental testimony; Natasha J. Martin	.70 Hours
08/28/18	Review testimony comments from M. Keeney; Review entries with M. Keeney (No Charge); Natasha J. Martin	.00 Hours
08/28/18	Attention to the proposed order; Review the docket for filing dates and content of filings; Prepare the background and procedure portion of the proposed order; Natasha J. Martin	2.40 Hours
08/29/18	Attention to proposed order; Natasha J. Martin	2.00 Hours
08/30/18	Review and revise the draft proposed order; Natasha J. Martin	.30 Hours
08/31/18	Prepare supplemental testimony and exhibits for G. Aguirre; Natasha J. Martin	1.50 Hours
08/31/18	Revise Martin testimony and prepare for filing (No Charge); Natasha J. Martin	.00 Hours

Summary of Fees

South Central Calhoun County Water Control and Improvement
District No. 1

September 7, 2018
Invoice 348617

	Hours	Rate/Hr	Dollars
Natasha J. Martin	14.70	295.00	4,336.50
Natasha J. Martin	0.00	0.00	0.00
Hailey L. Suggs	0.00	0.00	0.00
Mary A. Keeney	0.90	460.00	414.00
Totals	15.60		4,750.50

Original Fees for Professional Services	\$	4,750.50
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Less Discount	\$	(475.05)
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Total Fees for Professional Services	\$	4,275.45
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Reimbursable Costs

08/31/18	Delivery services rendered to/from PUC (split cost, expedited) 8/31 - Dropoff, Inc.	\$	7.50
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Total Reimbursable Costs	\$	7.50
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CURRENT BILLING FOR THIS FILE	\$	4,282.95
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PREVIOUS BALANCE DUE	\$	13,819.97
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PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$	18,102.92
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Employer I.D. #74-2587674

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Improvement
District No. 1
PO Box 833
Port Lavaca, TX 77979
EMAIL INVOICES TO: scccwcid1ta@yahoo.com

October 17, 2018
Invoice 349205

REMITTANCE COPY

Our File No. A31544.1
Rate Case

For Services Through September 30, 2018

Original Fees for Professional Services	\$	7,366.50
Less Discount	\$	(1,104.98)
Total Fees for Professional Services	\$	6,261.52
Total Reimbursable Costs	\$	29.98
NET CURRENT BILLING FOR THIS FILE	\$	<u>6,291.50</u>
PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$	<u>6,291.50</u>

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October 17, 2018
Invoice 349205

Our File # A31544.1
Rate Case

For Services Through September 30, 2018

09/05/18	Review and revise Aguirre testimony; Include additional testimony summarizing the settlement; Update the exhibits; Natasha J. Martin	2.50 Hours
09/06/18	Review Aguirre testimony and comment on same to N. Martin; Mary A. Keeney	.20 Hours
09/06/18	Correspond with T. Atkins to provide a status update on the rate case; Natasha J. Martin	.20 Hours
09/06/18	Review and revise the proposed order; Prepare documents for submission to PUC; Review and revise the draft joint motion to remand; Correspond with PUC Staff regarding draft testimony; Natasha J. Martin	3.80 Hours
09/07/18	Review M. Keeney's comments on the proposed order; Review case law; Review the statute and rules [REDACTED]; Revise the proposed order; Natasha J. Martin	3.50 Hours
09/09/18	Review and suggest edits to proposed final order; Mary A. Keeney	.50 Hours
09/11/18	Review and edit proposed order; Mary A. Keeney	.30 Hours

- 09/11/18 Provide proposed order and updated draft testimony to PUC Staff for review; Correspond with PUC Staff regarding content of both documents;
Natasha J. Martin .30 Hours
- 09/11/18 Revise proposed order in light of comments from M. Keeney; Revise Aguirre testimony to include reserves;
Natasha J. Martin 3.60 Hours
- 09/14/18 Initial review of PUC Staff's comments on the proposed order;
Natasha J. Martin .40 Hours
- 09/14/18 Provide draft testimony to G. Aguirre for review; Confer with K. Gross regarding filing date and status update;
Natasha J. Martin .50 Hours
- 09/17/18 Review and revise proposed order; Review comments on the Aguirre testimony; Correspond with PUC Staff regarding status update filing; Review comments from T. Atkins on the supplemental testimony and correspond with T. Atkins regarding same;
Natasha J. Martin 1.40 Hours
- 09/18/18 Review proposed order and email correspondence with N. Martin regarding same;
Mary A. Keeney .20 Hours
- 09/18/18 Review proposed order and accept changes; Review the record for consistency; Provide proposed order to M. Keeney for review;
Natasha J. Martin .70 Hours
- 09/18/18 Review Staff testimony and the rate worksheet; Identify corrections to the worksheet; Review record and suggest changes to the worksheet;
Natasha J. Martin .90 Hours
- 09/19/18 Finalize comments on proposed order: Correspond with K. Gross regarding comments;
Natasha J. Martin .60 Hours
- 09/20/18 Review comments from K. Gross on the proposed order; Review exhibit and calculate known repairs; Revise proposed order and provide to K. Gross; Provide the draft proposed order to the PUC Staff and W. Durant; Revise G. Aguirre's draft testimony for consistency with the proposed order and provide to G. Aguirre for review;
Natasha J. Martin 2.50 Hours
- 09/21/18 Finalize documents; Prepare for filing: File documents; Provide service copies to parties;

South Central Calhoun County Water Control and Improvement
District No. 1

October 17, 2018
Invoice 349205

Natasha J. Martin

2.20 Hours

Summary of Fees

	Hours	Rate/Hr	Dollars
Natasha J. Martin	23.10	295.00	6,814.50
Mary A. Keeney	1.20	460.00	552.00
Totals	24.30		7,366.50

Original Fees for Professional Services	\$	7,366.50
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Less Discount	\$	(1,104.98)
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Total Fees for Professional Services	\$	6,261.52
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Reimbursable Costs

09/30/18	Delivery services rendered to PUC (expedited) 9/21 - Dropoff, Inc.	\$	14.99
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09/30/18	Delivery services rendered from PUC (expedited) 9/21 - Dropoff, Inc.	\$	14.99
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Total Reimbursable Costs	\$	29.98
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CURRENT BILLING FOR THIS FILE	\$	6,291.50
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PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$	6,291.50
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EMAIL INVOICES TO: scccwcid1ta@yahoo.com

December 13, 2018
Invoice 350025

REMITTANCE COPY

Our File No. A31544.1
Rate Case

For Services Through November 30, 2018

Total Fees for Professional Services	\$	236.00
NET CURRENT BILLING FOR THIS FILE	\$	<u>236.00</u>
LESS RETAINER APPLIED	\$	<u>(236.00)</u>
PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$	<u>0.00</u>

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December 13, 2018
Invoice 350025

Our File # A31544.1
Rate Case

For Services Through November 30, 2018

10/22/18 Review [REDACTED] and correspond with K. Gross regarding the requested email in the
order; Update the District on the case status;
Natasha J. Martin .30 Hours

11/08/18 Review agenda; Correspond with M. Keeney regarding litigation strategy;
Natasha J. Martin .40 Hours

11/20/18 Correspond with PUC Staff for a case update;
Natasha J. Martin .10 Hours

Summary of Fees

	Hours	Rate/Hr	Dollars
Natasha J. Martin	0.80	295.00	236.00
Totals	0.80		236.00

Total Fees for Professional Services \$ 236.00

CURRENT BILLING FOR THIS FILE \$ 236.00

LESS RETAINER APPLIED \$ (236.00)

PLEASE REMIT TOTAL INVOICE BALANCE DUE \$ 0.00



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July 16, 2019
Invoice 352600

REMITTANCE COPY

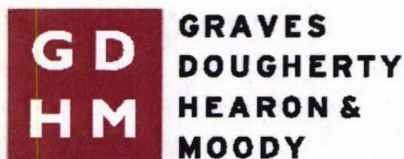
Our File No. A31544.1
Rate Case

For Services Through June 30, 2019

Total Fees for Professional Services	\$	1,453.00	
NET CURRENT BILLING FOR THIS FILE			\$ 1,453.00
PLEASE REMIT TOTAL INVOICE BALANCE DUE			\$ 1,453.00

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July 16, 2019
Invoice 352600

Our File # A31544.1
Rate Case

For Services Through June 30, 2019

06/03/19	Review M. Keeney's comments on the outline for additional documents; Natasha J. Martin	.40 Hours
06/17/19	Review and revise memo regarding PUC Order on supplementing the record; Provide to T. Atkins; Natasha J. Martin	.50 Hours
06/18/19	Arrange conference call regarding supplemental filings; Leave voicemail for PUC lawyer related to case procedure; Confer with PUC lawyer (No Charge); Natasha J. Martin	.20 Hours
06/20/19	Conference call with S. Mason and T. Atkins regarding supplemental testimony; Summarize next steps; Natasha J. Martin	1.20 Hours
06/20/19	Provide the 2015 PEECO proposal to S. Mason for review; Natasha J. Martin	.10 Hours
06/24/19	Arrange the conference call with PUC Staff; Draft an agenda for the call; Natasha J. Martin	.40 Hours
06/25/19	Conference with PUC regarding the applicable ratemaking standard; Confer with T. Atkins regarding conversation with PUC Staff and rate case expenses; Brief M. Keeney on the options for moving forward; Natasha J. Martin	1.20 Hours

06/26/19 Review and respond to email correspondence from N. Martin regarding PUC staff and client proposals and provide my recommendation on how to proceed; Intraoffice conference with N. Martin regarding same;
Mary A. Keeney .30 Hours

06/26/19 Conference with M. Keeney regarding rate case status and next steps; Discuss PUC Staff position on next steps;
Natasha J. Martin .20 Hours

Summary of Fees

	Hours	Rate/Hr	Dollars
Natasha J. Martin	4.00	325.00	1,300.00
Natasha J. Martin	0.00	0.00	0.00
Mary A. Keeney	0.30	510.00	153.00
Totals	4.30		1,453.00

Total Fees for Professional Services \$ 1,453.00

CURRENT BILLING FOR THIS FILE \$ 1,453.00

PLEASE REMIT TOTAL INVOICE BALANCE DUE \$ 1,453.00



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September 17, 2019
Invoice 353432

REMITTANCE COPY

Our File No. A31544.1
Rate Case

For Services Through August 31, 2019

Total Fees for Professional Services	\$	520.00	
NET CURRENT BILLING FOR THIS FILE	\$		520.00
PREVIOUS BALANCE DUE (Disregard if Paid)	\$		44.55
PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$		564.55

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September 17, 2019
Invoice 353432

Our File # A31544.1
Rate Case

For Services Through August 31, 2019

- 07/02/19 Review and redact invoices for the utility surcharge calculation (No Charge);
David A. Gonzalez 1.30 Hours
- 07/03/19 Gather and total invoices to include in the overall calculation of the per customer utility
surcharge (No Charge).
David A. Gonzalez 1.10 Hours
- 07/09/19 Review the updated surcharge and provide calculations to T. Atkins;
Natasha J. Martin .50 Hours
- 08/01/19 Follow-up with PUC staff regarding the surcharge and letter brief; Add June expenses to the
supplemental surcharge amount; Outline law applicable to District ratemaking;
Natasha J. Martin .70 Hours
- 08/28/19 Calendar deadlines from Order 3; Correspond with Staff regarding same;
Natasha J. Martin .40 Hours

South Central Calhoun County Water Control and Improvement
District No. 1

September 17, 2019
Invoice 353432

Summary of Fees

	Hours	Rate/Hr	Dollars
Natasha J. Martin	1.60	325.00	520.00
David A. Gonzalez	0.00	0.00	0.00
Totals	1.60		520.00

Total Fees for Professional Services \$ 520.00

CURRENT BILLING FOR THIS FILE	\$ 520.00
PREVIOUS BALANCE DUE	\$ 44.55

PLEASE REMIT TOTAL INVOICE BALANCE DUE	\$ 564.55
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Supplemental Filing Attorney's Fees	
Month	Fee Total
Aug-18	\$ 4,275.45
Sep-18	\$ 6,261.52
Oct-18	\$ 88.50
Nov-18	\$ 147.50
Feb-19	\$ 97.50
Mar-19	\$ 1,137.50
Apr-19	\$ 6,564.00
May-19	\$ 845.00
Jun-19	\$ 1,453.00
Jul-19	\$ 162.50
Aug-19	\$ 357.50
Total	\$ 21,389.97

Supplemental Utility Surcharge Calculation Formula	
Rate Case Expenses (\$)	\$ 21,389.97
Total Number of Current Customers	295
Amount of Time to Pay (months)	24
Supp. Utility Surcharge Amount:	\$ 3.02

Agreed Rate Case Expenses Ending June 2018 Attorney's Fees	
Total	\$ 41,669.33

G & W Engineers	
Total	\$ 1,755.00

Balanced Books	
Total	\$ 450.00

Administrative	
Total	\$ 166.06

Subtotal	
Total	\$ 44,040.99

PUC Reduction	
Total	\$ 3,423.33

Initial Rate Case Expenses	
Total	\$ 40,617.66

Total Rate Case Expenses	
Total	\$ 62,007.63

Agreed Utility Surcharge Calculation Formula	
Rate Case Expenses (\$)	\$ 40,617.66
Total Number of Current Customers	295
Amount of Time to Pay (months)	24
Agreed Utility Surcharge Amount:	\$ 5.74

Total Surcharge to date (Agreed + Suppl.) \$ 8.76