



Control Number: 48454



Item Number: 35

Addendum StartPage: 0

SOAH DOCKET NO. 473-19-6762.WS

PUC DOCKET NO. 48454

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PUBLIC UTILITY COMMISSION
FILED OCT 14 2019

COMPLAINT OF NZINGA HUGHES
AGAINST THE TRAILS AT DOMINION
PARK, AB-GO TRAILS AT DOMINION
PARK PROPCO, LLC, NWP SERVICES
CORPORATION, HARRIS COUNTY
MUNICIPAL UTILITY DISTRICT NO.
215, AND GOLDOLLER REAL ESTATE
INVESTMENTS

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PUBLIC UTILITY COMMISSION
OF TEXAS

RESPONDENTS' STATUS REPORT REGARDING CLAIMS AT ISSUE

COME NOW RealPage Utility Management, Inc. (fka NWP Service Corporation), Trails at Dominion Park, Ab-Go Trails at Dominion Park Propco, LLC and GoldOller Real Estate Investments ("Respondents") and file this Status Report Regarding Claims at Issue:

In review of all material that has been previously submitted, Respondents analyzed the District invoices to determine if the months that expenses were estimated to maintain timely billing were more than the actual expenses during those time periods. **In summary, we found that there was underbilling and Complainant actually benefitted rather than being harmed in any way.**

Each District invoice includes 12 months of historical meter usage amounts. Reviewing these usages, Respondents determined the amount that would have been billed in total to all residents. Since the basis of the billing is predicated on the expense, when the expenses increase, so do the resident charges. Likewise, when expenses decrease, resident charges decrease.

25

The District bills based on the method previous submitted. In review, the District measures the total water usage for each master-meter and divides that usage by the number of apartments behind that meter. The average usage per unit is rounded up to the nearest 1,000 gallons and multiplied by the applicable rate per 1,000 gallons. This amount is then multiplied by the number of apartments to determine the total monthly District invoice amount.

Attached as Exhibit 1 is a chart listing each of the 4 invoices at the property which supply water to the residential units. The months that these invoices were estimated are highlighted as well as the usage amounts for that missing period from the next available invoice. For example, the District invoice issued on 3/31/15 was missing for billing, so the previous invoice issued on 3/3/15 was utilized. Each invoice from the District includes the previous 12 months of measured usage, so we can see the missing invoice usage. The highlighted lines are what the District measured and therefore billed for those dates.

Using this same example, the 3/3/15 invoices measured and billed for a combined total of 20,000 gallons. For the next period, we can see the District measured and billed for a combined total of 17,000 gallons. This was completed for all the missing periods. Since February 2015, of the 14 instances that invoices were estimated, **a total of 3,000 would have been billed as shown on the exhibit as total usage variance.** Rather than charging residents for more usage, we feel there is no necessary action to reconcile these amounts.

The second issue that we wish to establish is the previous explanation of the Central Harris County Regional Water Authority (CHCRWA) charges which were claimed to be added to the resident statements. In our original answer to the complaint (Docket 48454 Item 4), it was explained why the CHCRWA was removed from the water charges and listed as a separate line on resident statements. These charges are currently and always have been billed by the District based on the metered usage. As a metered charge, the CHCRWA was included in the water charge to residents. Upon discussions with the Public Utility Commission of Texas, it was determined that this charge by the District is technically not drinking water and therefore should not be included in the water charges under the established water billing rules. Due to this fact, the CHCRWA is an expense that is not covered by the regulations of the Commission.

PRAYER FOR RELIEF

WHEREFORE, Respondents respectfully request that the Commission deny Complainant's Request for Relief and that the Commission issue an order dismissing this Complaint.

Respectfully submitted,



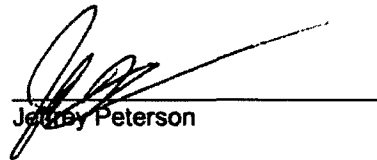
Jeffrey Peterson

2201 Lakeside Blvd
Richardson, TX 75082
Jeffrey.Peterson@RealPage.com

**Representative for
RealPage Utility Management, Inc.**
(fka NWP Service Corp) and,
**Trails at Dominion Park and,
Ab-Go Trails at Dominion Park Propco, LLC and,
GoldOller Real Estate Investments**

CERTIFICATE OF SERVICE

I, Jeffrey Peterson – Vice President Legal Counsel, certify that a copy of this document was serviced on all parties of record in this proceeding on October 11, 2019 in the following manner: fax, hand-delivery, first class mail and/or Overnight delivery.



Jeffrey Peterson

Exhibit 1 - Invoice Data

Resident Billing Dates						Invoice: 70050-1901113801			Invoice: 70050-1901113901			Invoice: 70050-1901114001			Invoice: 70050-1901114501			Total billed	
Revenue Month	Resident Start	Resident End	District Start	District End	Invoice Dates Missed	Usage (3801)	Apartments (3801)	Billed Usage (3801)	Apartments (3901)	Units (3901)	Billed Usage (3901)	Usage (4001)	Apartments (4001)	Billed Usage (4001)	Usage (4501)	Apartments (4501)	Billed Usage (4501)	Usage (1,000 Gallons)	Varianace (1,000 Gallons)
4/1/2018	2/19/2018	3/19/2018	11/1/2017	11/30/2017	2/28/2018	1898	336	6	1102	224	5	1041	272	4	81	11	8	23	-2
3/1/2018	1/20/2018	2/18/2018	11/1/2017	11/30/2017	1/31/2018	2260	336	7	1275	224	6	1233	272	5	99	11	9	27	2
2/1/2018	12/22/2017	1/19/2018	11/1/2017	11/30/2017	12/29/2017	1952	336	6	1332	224	6	1079	272	4	67	11	7	23	-2
1/1/2018	11/23/2017	12/21/2017	11/1/2017	11/30/2017		1890	336	6	1473	224	7	1256	272	5	71	11	7	25	
12/1/2017	10/24/2017	11/22/2017	8/1/2017	8/31/2017	11/1/2017	2002	336	6	1363	224	7	1647	272	7	68	11	7	27	0
11/1/2017	9/24/2017	10/23/2017	8/1/2017	8/31/2017	10/2/2017	2085	336	7	1377	224	7	1900	272	7	70	11	7	28	1
10/1/2017	8/25/2017	9/23/2017	8/1/2017	8/31/2017		1955	336	6	1349	224	7	1419	272	6	80	11	8	27	
9/1/2017	7/25/2017	8/24/2017	3/31/2017	5/2/2017	8/1/2017	2105	336	7	1447	224	7	1504	272	6	80	11	8	28	3
8/1/2017	6/25/2017	7/24/2017	3/31/2017	5/2/2017	6/30/2017	1865	336	6	1241	224	6	1469	272	6	80	11	8	26	1
7/1/2017	5/24/2017	6/24/2017	3/31/2017	5/2/2017	6/1/2017	1888	336	6	1231	224	6	1518	272	6	77	11	7	25	0
6/1/2017	4/22/2017	5/23/2017	3/31/2017	5/2/2017		1973	336	6	1123	224	6	1459	272	6	68	11	7	25	
5/1/2017	3/22/2017	4/21/2017	1/2/2017	2/2/2017	3/31/2017	1798	336	6	971	224	5	1276	272	5	66	11	6	22	-2
4/1/2017	2/20/2017	3/21/2017	1/2/2017	2/2/2017	3/2/2017	1549	336	5	871	224	4	1100	272	5	73	11	7	21	-3
3/1/2017	1/20/2017	2/19/2017	1/2/2017	2/2/2017		1789	336	6	1051	224	5	1654	272	7	65	11	6	24	
2/1/2016	12/25/2015	1/21/2016	11/4/2015	12/2/2015	1/4/2016	2136	336	7	1176	224	6	1209	272	5	71	11	7	25	4
1/1/2016	11/27/2015	12/24/2015	11/4/2015	12/2/2015		1907	336	6	928	224	5	1059	272	4	60	11	6	21	
10/1/2015	8/25/2015	9/22/2015	7/1/2015	7/30/2015	8/31/2015	2078	336	7	1101	224	5	1396	272	6	62	11	6	24	1
9/1/2015	7/27/2015	8/24/2015	7/1/2015	7/30/2015		1853	336	6	1149	224	6	1107	272	5	58	11	6	23	
8/1/2015	6/28/2015	7/26/2015	4/30/2015	5/29/2015	7/1/2015	2197	336	7	1269	224	6	1259	272	5	64	11	6	24	3
7/1/2015	5/30/2015	6/27/2015	4/30/2015	5/29/2015		1765	336	6	1084	224	5	1249	272	5	49	11	5	21	
5/1/2015	3/31/2015	4/29/2015	2/2/2015	3/3/2015	3/31/2015	1593	336	5	835	224	4	1056	272	4	42	11	4	17	-3
4/1/2015	3/1/2015	3/30/2015	2/2/2015	3/3/2015		1576	336	5	976	224	5	1127	272	5	49	11	5	20	

Total Usage: 3

Exhibit 2

AB-GO TRAILS AT DOMINION PARK

MAKE CHECK PAYABLE TO: HARRIS COUNTY MUD #215 312 SPRING HILL DR - STE 100 SPRING TX 77386	SERVICE ADDRESS		ACCOUNT NUMBER		
	200 DOMINIOIN PKWY		70050-1901113801		
	SERVICE PERIOD	FROM 04/30/15 TO 05/29/15	BILLING DATE 06/03/15		
READ DATE(W) METER NUM. 91650542 Badger PRES. READ 55784.0 PREV. READ 54019.0 TOTAL GALLONS 1765.0 In 1,000's	05/29/15	*** USAGE HISTORY ***		DESCRIPTION	AMOUNT

		WATER GALLONS		BALANCE FORWARD	11,177.28
		04/30/15 1664.0		PAYMENT 05/26	11,177.28CR
		03/31/15 1593.0		SEWER	5,695.20
	03/03/15 1576.0		WATER	4,959.36	
	02/02/15 759.0		CHCRWA	4,483.10	
	01/15/15 .0		THIS MONTH	15,137.66	
			TOTAL NOW DUE	15,137.66	
			PENALTY AMOUNT	PAY THIS AMOUNT AFTER	
			2,270.64	17,408.30	
				07/01/2015	
336 UNITS					

Example of
historical usage for
missing period

MESSAGES

HARRIS COUNTY MUD #215 312 SPRING HILL DR - STE 100 SPRING, TX 77386-3709 OFFICE: (281)367-5511 OR: (281)367-1809 FAX: (281)367-5517 HOURS: 8:00-5:00 MON-FRI	***IMPORTANT***PLEASE SEE ENCLOSED 2014 WATER QUALITY REPORT NOTICE. THIS BILL REFLECTS AN INCREASE IN THE CHCRWA FEE AND THE WATER PORTION OF YOUR BILL. PLEASE HELP CONSERVE WATER.
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AVR, Inc

IF YOUR MAILING ADDRESS HAS CHANGED PLEASE CORRECT
PLEASE RETURN WITH PAYMENT

HARRIS COUNTY MUD #215
 312 SPRING HILL DR - STE 100
 SPRING TX 77386-3709
 PHONE NO. (281) 367-5511

Account Number 70050-1901113801
 Service Address 200 DOMINIOIN PKWY
 050

15,137.66	07/01/15	17,408.30
ON OR BEFORE DUE DATE	DUE DATE	AFTER DUE DATE

AMOUNT PAID

AB-GO TRAILS AT DOMINION PARK
 PROP CO, LLC
 1628 JFK BLVD STE 1600
 PHILADELPHIA PA 19103-2135

HARRIS COUNTY MUD #215
 312 SPRING HILL DR - STE 100
 SPRING TX 77386-3709

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