



Control Number: 48572



Item Number: 22

Addendum StartPage: 0

P.U.C DOCKET NO. 48572

S.O.A.H Docket No. 473-19-0420. WS

ASHUTOSH SHARMA(Complainant)
Vs
THE PALMER AT LAS COLINAS
APARTMENT HOMES(Respondent)

PUBLIC UTILITY COMMISSION OF
TEXAS

Testimony for Public Hearing

December 12th, 2018

Ashutosh Sharma
6839 Prompton Bnd Irving TX 75063

RECEIVED
2018 DEC 17 AM 9:32
PUBLIC UTILITY COMMISSION
FILING CLERK

My name is Ashutosh Sharma (referred as complainant) and stayed in Unit # 3137 from 17th Sep 2017 to 4th April, 2018 at Palmer at Las Colinas apartment homes.

The complainant has the following issues regarding this matter:

1. The complainant stayed in Unit # 3137 from 17th Sep 2017 to 4th April, 2018 and paid the overall utility bills up to \$100 in some of the months.
2. It's just not the complainant but every other resident in PALMER AT LAS COLINAS APARTMENT HOMES paid a very high water, sewage and trash bills. Its applicable to former and current residents.
3. Respondent is trying to mislead the PUBLIC UTILITY COMMISSION OF TEXAS and other agencies stating that it's just the franchise fees that is overcharged and it's returned (and accepted by the complainant). Franchise fees is a very small portion of the utility bill. Merely returning the franchise fees is not enough.
4. PUBLIC UTILITY COMMISSION OF TEXAS should do a thorough discovery and investigation of this matter not just for the Complainant but for every other resident of PALMER AT LAS COLINAS APARTMENT HOMES. Complainant strongly believe that everybody who is the resident at PALMER AT LAS COLINAS APARTMENT HOMES is being deceived by PALMER AT LAS COLINAS APARTMENT HOMES in terms of higher water, sewage, trash, utility and other charges. There are no separate water meters and there is no clarity in terms of how these services are going to be charged to the residents?
5. Complainant requests full damages to be refunded with detailed calculation provided by the respondent.
6. Complainant also request the entire mail charges to be refunded back to the complainant.

27

7. Complainant is not just looking for the refund but a civil penalty on Palmer at Las Colinas for these violations.
8. Complainant requests a proper investigation by PUBLIC UTILITY COMMISSION OF TEXAS regarding this issue. There were tremendous amounts of leaks, wastage of water, water being used for the construction facilities, water being used for pools and sprinklers etc. But it's charged to the respondent and other residents of PALMER AT LAS COLINAS APARTMENT HOMES. If needed a class action suit should be filed on behalf of all the residents (current as well as former) at PALMER AT LAS COLINAS APARTMENT HOMES.
9. Regarding water bills the Complainant has certain questions which the Complainant has asked in the past via resident portal (as well as via email also) to the respondent. Unfortunately, no response had been provided by the Respondent regarding this matter:
 - a) Is there any water meter for each unit?
 - b) Is it possible for the PALMER AT LAS COLINAS APARTMENT HOMES to provide the readings and other data points about these utilities (water, trash, sewage etc....) to the residents?
 - c) Are the residents at PALMER AT LAS COLINAS APARTMENT HOMES paying for the water consumed by them only OR also for the upkeep of the landscaping, swimming pool, leaks at so many places?
 - d) Are residents at PALMER AT LAS COLINAS APARTMENT HOMES also paying for the water for the upkeep of the common areas like leasing office, gym and other places also?
 - e) On what basis the water bill has been calculated at PALMER AT LAS COLINAS APARTMENT HOMES? Is it (how it is calculated and on what basis?) being shared with the residents at the time of signing the lease or on the periodic basis?
 - f) In case of vacant units within the complex – does PALMER AT LAS COLINAS APARTMENT HOMES put more charge on the tenants who are occupying the units just to compensate (the overall amount it could have got has it been the case the entire complex was occupied)?
 - g) Are pets being counted as residents when measuring the water usage?
 - h) How the water usage is being adjusted in case of no water supply? For e.g. during 30th Dec and 31st Dec 2017 - there was no water in most of the units and residents have to buy the water and go thru various issues - how all the residents will be compensated for that? Complainant incurred around \$4 to purchase the water from Walmart for those two days plus a lot of inconvenience during the new year eve. In fact, the entire new year eve was spoiled due to this situation.
 - i) Is it just City of Irving water(plus trash plus sewage) charges or something else also being added on top of it by the Respondent? Where is the break-up of the charges?
 - j) What was the reasoning for the water charges being increased by 40% during Dec 2017 to Apr 2018 by the Respondent?

- k) If PALMER AT LAS COLINAS APARTMENT HOMES is charging amenity fees then why the water charges for the pool from the residents? why the landscape sprinkler water charges from the residents?
10. Complainant is living in his own house (at 6839 Prompton Bnd Irving TX 75063) since Apr 2nd, 2018 till now. When Complainant compared the bills for water, sewage and trash from City of Irving TX (Vs the ones that he got it while living at 2936 W Royal LN APT 3137 Irving TX 75063) -the charges while he was in the apartment are much higher. This is in spite of the fact that complainant house is more than two times bigger than the apartment unit and it's the same zip code (75063). Complainant's house is just 1 mile away from this apartment home.
11. Complainant had a telephonic conversation with the respondent's attorney (Julianna Kat from the phone # 435-716-7374 at around 12 noon). As per that telephonic conversation the respondent's attorney had admitted that Respondent has refunded all the residents the entire overcharged franchise fees. But upon checking with the current residents – it was not the case (None of the current residents at Palmer at Las Colinas has received any refunds for the franchise fees.

In a nutshell, the complainant found that the respondent overcharged the complainant as well as other residents of Palmer at Las Colinas for various utility charges (water, sewage, trash etc....). Respondent continuously failed to provide the detailed break-down of the various charges or any specific reasoning. Merely returning franchise fees is not a solution. The complainant requests the honorable judge to do a thorough discovery and investigation regarding this matter and provide the justice.

Thank you for your time and consideration.

Sincerely,



Ashutosh Sharma

Note : Sorry for the late written testimony. I am not an attorney and was very busy with my new job(it's just the very first month in the new job).

