



Control Number: 49060



Item Number: 10

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**DOCKET NO. 49060**

<b>COMPLAINT OF DEBORAH</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>LOWE AGAINST SADDLEBROOK</b>	<b>§</b>	
<b>COMMUNITY AND SUN</b>	<b>§</b>	<b>OF TEXAS</b>
<b>COMMUNITIES, INC.</b>	<b>§</b>	

**COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION  
TO SADDLEBROOK COMMUNITY AND SUN COMMUNITIES, INC.  
QUESTION NOS. STAFF 2-1 THROUGH STAFF 2-26**

Pursuant to 16 Texas Administrative Code Ann. (TAC) § 22.144, the Staff of the Public Utility Commission of Texas (Staff) requests that Saddlebrook Community and Sun Communities, Inc. by and through their attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 10 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) 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.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

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Dated: February 22, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



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Patrick D. Todd  
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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on February 22, 2019 in accordance with 16 TAC § 22.74.



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Patrick D. Todd

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TO SADDLEBROOK COMMUNITY AND SUN COMMUNITIES, INC.  
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**DEFINITIONS**

- A. "Saddlebrook," refers to Saddlebrook Community and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- B. "Sun," refers to and Sun Communities, Inc. and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- C. "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist and these documents will be provided.

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TO SADDLEBROOK COMMUNITY AND SUN COMMUNITIES, INC.  
QUESTION NOS. STAFF 2-1 THROUGH STAFF 2-26**

**INSTRUCTIONS**

- 1) Pursuant to 16 TAC § 22.144(c)(2), 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 § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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**COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION  
TO SADDLEBROOK COMMUNITY AND SUN COMMUNITIES, INC.  
QUESTION NOS. STAFF 2-1 THROUGH STAFF 2-26**

- Staff 2-1** Please explain the reason Ms. Lowe's meter was replaced on May 14, 2018.
- Staff 2-2** Please explain if the removed meter was tested. Provide test date and results.
- Staff 2-3** Please explain if the new meter was tested. Provide test date and results.
- Staff 2-4** Please explain if any estimated reads were used to bill Ms. Lowe while she was a tenant. Please provide a copy of all estimated bills. Please explain how the following bill is adjusted to reflect correction of the estimate.
- Staff 2-5** If the removed meter has not been tested within the last 24 months, please test the meter and provide a copy of the results.
- Staff 2-6** If the new meter has not been tested within the last 24 months, please test the meter and provide a copy of the results.
- Staff 2-7** According to item 4, page 13, Ms. Lowe paid a \$699 security deposit. Please provide the date and amount of the deposit refund.
- Staff 2-8** Please explain any fees or charges that were deducted from the refund amount.
- Staff 2-9** Provide the retail water bills from Maxwell WSC for service for December 2018.
- Staff 2-10** Provide the retail sewer bills from the City of San Marcos for December 2018.
- Staff 2-11** For Complainant's submetered billing, provide:
- a) the calculation of the average cost per gallon, liter, or cubic foot;
  - b) if the unit of measure of the submeters or point-of-use submeters differs from the unit of measure of the master meter, a chart for converting the tenant's submeter measurement to that used by the retail public utility;
  - c) all submeter readings of the Complainant's meter; and
  - d) all submeter test results of the Complainant's meter;
- Staff 2-12** Provide the total amount billed to all tenants each month from November 2017 to December 2018.
- Staff 2-13** Provide the total revenues collected from the tenants each month to pay for water and wastewater service from November 2017 to December 2018.

- Staff 2-14** Describe in detail the nature of the 9% service charge percentage permitted under § 24.281(d)(3) of PUC rules (relating to Charges and Calculations) that was billed to Ms. Lowe.
- Staff 2-15** Provide any correspondence between Sun/Saddlebrook and Complainant pertaining to any dispute over water service billing.
- Staff 2-16** Confirm or deny that all submeters or point-of-use submeters throughout the Saddlebrook property use the same unit of measurement, such as gallon, liter, or cubic foot.
- Staff 2-17** Confirm or deny that the submeter or point-of-use submeter used by Complainant had its accuracy established prior to being placed in service.
- Staff 2-18** Confirm or deny that if Complainant's submeter or point-of-use submeter was removed from service, that it was properly tested and calibrated before being placed in service again.
- Staff 2-19** Confirm or deny that Complainant's Submeter was calibrated as close as possible to the condition of zero error and within the accuracy standards established by the American Water Works Association (AWWA) for water meters or Point-of-use submeter was calibrated as closely as possible to the condition of zero error and within the accuracy standards established by the American Society of Mechanical Engineers (ASME) for point-of-use and branch-water submetering systems.
- Staff 2-20** Confirm or deny that Complainant's submeter or point-of-use submeter was installed in accordance with applicable plumbing codes and AWWA standards for water meters or ASME standards for point-of-use submeters.
- Staff 2-21** Confirm or deny that Complainant's Submeter or point-of-use submeter was readily accessible to the tenant and to the owner for testing and inspection.
- Staff 2-22** Provide a copy of all submeter or point-of-use submeter records or any such device used for Complainant. Per 16 TAC § 24.287(a)(6), these records shall include:
- a) an identifying number;
  - b) the installation date (and removal date, if applicable);
  - c) date(s) the submeter or point-of-use submeter was calibrated or tested;
  - d) copies of all tests; and
  - e) the current location of the submeter or point-of-use submeter.
- Staff 2-23** Confirm or deny that Sun/Saddlebrook has complied with the AWWA's meter testing requirements and/or that Sun/Saddlebrook has complied with ASME's meter testing requirements for point-of-use meters.

- Staff 2-24** Explain whether Sun/Saddlebrook has performed a water leak audit of Complainant's dwelling unit at any point during Complainant's occupancy of the unit and the results of the audit, if any.
- Staff 2-25** Does Sun/Saddlebrook use submeters or point-of-use submeters within the Saddlebrook community?
- Staff 2-26** Provide a complete copy of the ledger of the Complainant's account.