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COMPLAINT OF MICHAEL E.
MOORE AGAINST C WILLOW
WATER COMPANY

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PUBLIC UTILITY COMMISSION
OF TEXAS

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FILING CLERK

**COMMISSION STAFF'S RESPONSE TO C WILLOW
WATER'S MAY 16, 2019 FILING**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Staff's Response to C Willow Water's May 16, 2019 Filing. In support thereof, Staff shows the following:

I. BACKGROUND

On February 26, 2019, Michael E. Moore (Complainant) filed a complaint against C Willow Water Company (C Willow) regarding water billing and related charges. The complaint was filed pursuant to 16 Texas Administrative Code (TAC) § 22.242. On March 19, 2019, C Willow filed its response to the complaint.

On May 16, 2019, C Willow filed a response to Staff's supplemental statement of position. On May 17, 2019, the administrative law judge (ALJ) issued Order No. 4, which required Staff to respond to C Willow's May 16, 2019 filing by May 30, 2019. Therefore, this pleading is timely filed.

II. RESPONSE

Staff has reviewed C Willow's May 16, 2019 letter and believes that C Willow's filing does not bring up any new facts that changes Staff's position in Commission Staff's Supplemental Statement of Position. As detailed in the attached memorandum of Kathryn Eiland of the Commission's Water Utility Regulation Division, Staff still recommends that the Complainant receive a partial refund of his first bill in the amount of \$1,717.87.

III. CONCLUSION

For the reasons stated above, Staff respectfully recommends the issuance of an order that directs C Willow to refund the Complainant in the amount of \$1,717.87.

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Dated: May 30, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
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DOCKET NO. 49261

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 30, 2019 in accordance with 16 TAC § 22.74.



Patrick D. Todd

PUC Interoffice Memorandum

To: Patrick Todd, Attorney
Legal Division

Thru: Debi Loockerman, Manager
Water Utility Regulation Division

From: Kathryn Eiland, Financial Analyst
Water Utility Regulation Division

Date: May 30, 2019

Subject: **Docket No. 49261**; *Complaint of Michael E. Moore against C Willow Water Company*

On February 26, 2019, Michael E. Moore (Mr. Moore or Complainant) filed a complaint against C Willow Water Company (C Willow) regarding water billing and related charges. This complaint is filed pursuant to 16 Tex. Admin. Code (TAC) § 22.242(e). Mr. Moore would like C Willow to correct the October 3, 2018 bill by calculating an overall average of gallons used from all invoices, adjust his account accordingly, remove all late fees, and refund the difference.

C Willow filed a disagreement with Staff's recommendation on May 16, 2019 and asked Staff to reconsider the charges that Mr. Moore should be liable for. Staff acknowledges that Mr. Moore admits to taking possession of the property before completing an application for water service; however, C Willow did not have proper consent to bill him until they accepted his application and he became a qualified applicant. Additionally, the previous occupant for service at the address did not contact C Willow to discontinue service in their name before Mr. Moore's application was received and approved. Finally, if the previous occupant was not receiving and paying for service, then it was C Willow's responsibility to physically turn off the meter so that water was unavailable. Therefore, Staff stands by the analysis and conclusion filed on May 8, 2019 and recommends that all charges billed for usage prior to September 14, 2018 be credited to Mr. Moore's account.