



Filing Receipt

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DOCKET NO. 50197
SOAH DOCKET NO. 473-21-2237

APPLICATION OF TIMBERCREST PARTNERS LLC FOR AUTHORITY TO CHANGE RATES	§ § §	PUBLIC UTILITY COMMISSION OF TEXAS
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STATE OF TEXAS	§	
	§	
COUNTY OF HARRIS	§	

AFFIDAVIT OF TAMMY SHEA

Before me, the undersigned authority, on this date personally appeared Tammy Shea known to me to be the person whose name is subscribed below, and being by me first duly sworn, stated upon oath as follows:

1. "My name is Tammy Shea I am over 18 years of age, of sound mind , and fully competent to make th.is affidavit. Each statement of fact herein is true and of my own personal knowledge.
2. I am a partner in the Houston, Texas law firm of Shea Associates PLLP ("Shea"), and have practiced law in since 1998. I have twenty four years experience practicing public utility law. I have held positions at Wickliff & Hall, Epstein Becker Green, and Cozen O'Connor. My practice encompasses a wide range of administrative and commercial law, including the representation of water, gas and electric utilities. I have extensive experience representing and defending clients before the Public Utility Commission, Railroad Commission, TCEQ, and state and federal courts.
3. I am counsel of record for Timbercrest Partners LLC ("Timbercrest" or the "Company") Inc. in PUC Docket No. 50197, *Application of Timbercrest Partners LLC for Authority to Change Rates*. The purpose of my affidavit is to provide support for the additional rate case expenses incurred to date and not included within the direct and rebuttal testimony filed on September 27, 2022, and October 24, 2022, respectfully.
4. In Docket No. 50197, Shea & Associates PLLC and GDS Associates, Inc. were engaged to assist with the presentation and prosecution of the Company's Statement of Intent to Change Rates. To date, the services performed in this docket include the preparation of the rate filing package, discussions/mediations to address requests by Commission Staff ("Staff") to assist in their review of the proposed rates of the Timbercrest water and sewer systems, consultation and analysis by expert witnesses, reviewing and coordinating responses to discovery, attention to prehearing matters, filing of testimony and review of rebuttal testimony, drafting RFI requests, drafting rebuttal testimony, and drafting of various pleadings throughout the proceeding.

5. Depending on the course and resolution of Docket No. 50197, the firm and consultants expect to continued to assist Timbercrest Partners LLC with settling all issues in this matter, preparing tariffs, proposed orders, and stipulations. . In addition, the firm and consultants assist Timbercrest Partners LLC with supplementation of discovery requests, the Company's preparation for the scheduled hearing on the merits, as well as other activities. The rate case expense estimate prepared by Timbercrest Partners LLC reflects the actual costs expected to be incurred by the professional consultants and is reasonable and necessary.
6. I have reviewed the additional billings of Shea submitted to Timbercrest Partners LLC for legal services performed in Docket Nos. 50197 from October 22, 2022 to December 30, 2022, and I affirm that those billings of **\$9509.50** accurately reflect the time spent and expenditures incurred by Shea and Associates PLLC on Timbercrest Partners LLC's behalf and are reasonable and necessary. I have also consulted with GDS Associates, Inc. ("GDS") and reviewed the invoices submitted from October 1, 2022 through January 31, 2023. Based on my review of the invoices, knowledge of the work done in this proceeding, and discussions with GDS, it is my opinion that the additional invoices of GDS Associates, Inc. of \$14,997.50 also accurately reflect the time spent on Timbercrest's behalf and are reasonable and necessary. A copy of these invoices are being filed concurrent to this affidavit as Confidential Exhibit A.
7. The rate charged by each attorney and professional of Shea and Associates PLLC and GDS Associates, Inc. in Docket Nos. 50197 reflect the standard hourly billing rates or in this case discounted legal rates, charged by the attorney or professional for other matters, is comparable to the hourly rate charged by other attorneys and professionals for similar services provided to other Texas utilities and is the standard or discounted hourly billing rate charged by the attorneys and professionals of Shea and GDS for services to non-regulated entities.
8. The charges and rates of Shea and GDS are reasonable and consistent with those billed by others for similar work, and the rates charged by the attorneys and professionals that worked on these matters are comparable to rates charged by other professionals with the same level of expertise and experience and commensurate with the complexity of the issues in the proceedings. The calculation of the charges is correct and there was no duplication of services and no double billing of charges.
9. The hours spent to perform the tasks assigned to Shea and GDS working on Docket No. 50197 were reasonable and necessary to complete the required tasks in a professional manner on a timely basis. The nature of work was appropriate for the attorneys and professionals of Shea and GDS given their legal, professional, and expert training and their experience in administrative utility law and prior cases involving similar issues.
10. The amount of expenses and fees charged by Shea and GDS in Docket No. 50197 are commensurate to the size and complexity of the issues addressed. In particular, the nature of the utility operation within the mobile home park which provides water and sewer service to unmetered residential customers and the need for a new water rate for a larger, multi metered commercial customer has contributed the complexity of this case. There was also substantial delay in this proceeding through causes not attributable to Timbercrest. These delays included COVID-19 as well as numerous Staff changes, which required time and expense for Timbercrest to re-educate additional staff members and attorneys through the various changes. For example, there have been five sets of attorneys for Staff, two mediations on of which only turned out to be

a technical conference and the other unilaterally cancelled by Staff. Further, this case has been on file almost three years.

11. I have reviewed and am familiar with the Commission's requirements for recovery of rate case expenses set forth in 16 Tex. Admin. Code § 24.44. Based on my experience in cases of similar size as well as the novelty and complexity of issues particular to this case, all of the fees and expenses charged by Shea and GDS to Timbercrest Partners LLC in Docket No. 50197 are reasonable, necessary, and appropriately reimbursable.
12. No single attorney or professional billed in excess of 12 hours in a single day.
13. No attorney or professional has billed for charges that result from hotel or lodging.
14. No portion of Shea's fees or expenses is or will be from the use of a noncommercial aircraft or first-class air travel commercial aircraft or first-class air travel.
15. No portion of Shea's or GDS's fees or expenses are or will be for luxury items, such as limousine service, sporting events, alcoholic beverages, gourmet coffee, bottled water, hotel movies, satellite radio, or other entertainment.
16. No portion of Shea's or GDS's fees or expenses are in excess of \$25 per person per meal.
17. In sum, the fees and expenses incurred on behalf of Timbercrest are reasonable and necessary to properly prosecute this action before the Commission.

Tammy Shea

Tammy Shea

State of Florida County of Broward

SWORN AND SUBSCRIBED before me on this 13th day of March, 2023.

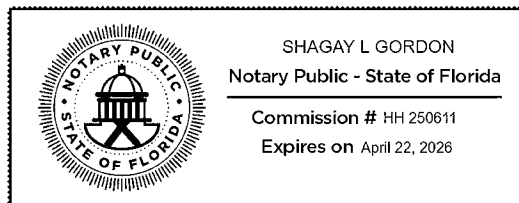
Before me appeared Tammy renee Shea

Type of identification produced-Texas driver's license

Shagay L Gordon

Shagay L Gordon

Notary Public in and for the State of Florida



Notarized online using audio-video communication