



## **Filing Receipt**

**Filing Date - 2023-04-12 01:25:56 PM**

**Control Number - 50788**

**Item Number - 355**

**SOAH DOCKET NO. 473-20-4071.WS  
PUC DOCKET NO. 50788**

<b>RATEPAYERS APPEAL OF THE</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>DECISION BY WINDERMERE OAKS</b>	<b>§</b>	
<b>WATER SUPPLY CORPORATION TO</b>	<b>§</b>	<b>OF</b>
<b>CHANGE WATER AND SEWER</b>	<b>§</b>	
<b>RATES</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**RATEPAYER REPRESENTATIVES' REQUEST FOR CLARIFICATION**  
(SOAH Order No. 32)

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

THE REPRESENTATIVES OF THE RATEPAYERS OF WINDERMERE OAKS WATER SUPPLY CORPORATION ("Ratepayers") file this REQUEST FOR CLARIFICATION relating to SOAH Order No. 32 and would show as follows.

Timeliness of Filing

Ratepayers received SOAH Order No. 32 on April 11, 2023. The deadline for compliance set forth in SOAH Order No. 32 is April 21, 2023. Accordingly, this Request is timely filed.

Request for Clarification

SOAH Order No. 32 requires Ratepayers to provide copies of their renumbered hearing exhibits to SOAH by April 21, 2023.

On March 28, 2023, Ratepayers furnished their renumbered exhibits to all parties and to SOAH (through Nadia Martinez) via the shared filesite on Box. A copy of the email confirmation of such delivery is attached hereto.

Thereafter, Ratepayers became aware of several matters in their renumbered exhibit set that warranted correction. They promptly corrected these matters and served a corrected set of renumbered exhibits. Hard copies of Ratepayers' corrected set of renumbered exhibits

were hand delivered to SOAH on April 6, 2023 at 3:30 p.m. A copy of Rainmaker's confirmation of such delivery is attached hereto.

At the request of Nadia Martinez, Ratepayers also notified Ms. Lisa Gomez of this delivery on April 6, 2023. They received an automatic reply generated by Ms. Gomez's email indicating that she was out of the office and would return on April 17. A copy of such automatic reply is attached.

As always, Ratepayers are prepared to do whatever the ALJs require of them. Under these circumstances, however, all that they can do in response to SOAH Order No. 32 is to deliver a second hard copy set of their renumbered exhibits to SOAH. While Ratepayers are certainly prepared to do just that if needed, they seek clarification that this is what the ALJs intend to require of them. Alternatively, Ratepayers seek guidance as to what different performance expected.

WHEREFORE, premises considered, Ratepayers respectfully request clarification concerning SOAH Order No. 32, and such other and further relief, at law or in equity, to which they may show themselves justly entitled.

Respectfully Submitted,

THE LAW OFFICE OF KATHRYN E. ALLEN,  
PLLC

114 W. 7th St., Suite 1100  
Austin, Texas 78701  
(512) 495-1400 telephone  
(512) 499-0094 fax

/s/ Kathryn E. Allen  
Kathryn E. Allen  
State Bar ID No. 01043100  
*kallen@keallenlaw.com*

Attorneys for Ratepayers

**Certificate of Service**

I hereby certify that, unless otherwise ordered by the Presiding Officer, notice of this filing was provided to all parties of record via electronic mail on April 12, 2023.

/s/ Kathryn E. Allen

Kathryn E. Allen

State Bar ID No. 01043100

*kallen@keallenlaw.com*

Attorneys for Ratepayers

## Ratepayers HOM2 Exhibits

5 messages

**Ratepayers Representatives** <ratepayersrepjosiefuller@gmail.com>

Tue, Mar 28, 2023 at 3:02 PM

To: Jamie Mauldin <jmauldin@lglawfirm.com>, "Lander, Merritt" <Merritt.Lander@puc.texas.gov>, Kathryn Allen <kallen@keallenlaw.com>, Nadia Martinez <nadia.martinez@soah.texas.gov>

All,

You should have previously received an email from Box with a shared filesite with Ratepayers HOM2 Exhibits.

If not please access the documents through this link

<https://app.box.com/s/tps5vymqefxilo6zzqi9io4gui6emlap>.

Thank you,

Patti

**Nadia Martinez** <Nadia.Martinez@soah.texas.gov>

Tue, Mar 28, 2023 at 3:03 PM

To: Ratepayers Representatives <ratepayersrepjosiefuller@gmail.com>, Jamie Mauldin <jmauldin@lglawfirm.com>, "Lander, Merritt" <Merritt.Lander@puc.texas.gov>, Kathryn Allen <kallen@keallenlaw.com>

Please include Lisa Gomez who is the new legal secretary for Christiaan Siano.

Thank you,

### Nadia Martinez

Legal Secretary

State Office of Administrative Hearings

512-475-4993

[Nadia.martinez@soah.texas.gov](mailto:Nadia.martinez@soah.texas.gov)



**From:** Ratepayers Representatives <ratepayersrepjosiefuller@gmail.com>

**Sent:** Tuesday, March 28, 2023 3:02 PM

**To:** Jamie Mauldin <jmauldin@lglawfirm.com>; Lander, Merritt <Merritt.Lander@puc.texas.gov>; Kathryn Allen <kallen@keallenlaw.com>; Nadia Martinez <Nadia.Martinez@soah.texas.gov>

**Subject:** Ratepayers HOM2 Exhibits

All,

You should have previously received an email from Box with a shared filesite with Ratepayers HOM2 Exhibits.  
If not please access the documents through this link

<https://app.box.com/s/tps5vymqefxilo6zzqi9io4gui6emlap>.

Thank you,

Patti

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**Ratepayers Representatives** <ratepayersrepjosiefuller@gmail.com> Tue, Mar 28, 2023 at 4:26 PM  
To: Nadia Martinez <Nadia.Martinez@soah.texas.gov>  
Cc: Jamie Mauldin <jmauldin@lglawfirm.com>, "Lander, Merritt" <Merritt.Lander@puc.texas.gov>, Kathryn Allen <kallen@keallenlaw.com>

Nadia,  
Thank you for the reply, I do not see that I have an email address for Lisa. Please forward me her email address and I will add her to the shared Box site.

Thanks,

Patti

On Tue, Mar 28, 2023 at 3:03 PM Nadia Martinez <Nadia.Martinez@soah.texas.gov> wrote:

Please include Lisa Gomez who is the new legal secretary for Christiaan Siano.

Thank you,

## Nadia Martinez

Legal Secretary  
State Office of Administrative Hearings

512-475-4993

[Nadia.martinez@soah.texas.gov](mailto:Nadia.martinez@soah.texas.gov)



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**From:** Ratepayers Representatives <ratepayersrepjosiefuller@gmail.com>

**Sent:** Tuesday, March 28, 2023 3:02 PM

**To:** Jamie Mauldin <jmauldin@lglawfirm.com>; Lander, Merritt <Merritt.Lander@puc.texas.gov>; Kathryn Allen <kallen@keallenlaw.com>; Nadia Martinez <Nadia.Martinez@soah.texas.gov>

**Subject:** Ratepayers HOM2 Exhibits

All,

You should have previously received an email from Box with a shared filesite with Ratepayers HOM2 Exhibits. If not please access the documents through this link

<https://app.box.com/s/tps5vymqefxilo6zzqi9io4gui6emlap>.

Thank you,

Patti

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**Nadia Martinez** <Nadia.Martinez@soah.texas.gov>

Wed, Mar 29, 2023 at 8:39 AM

To: Ratepayers Representatives <ratepayersrepjosiefuller@gmail.com>

Cc: Jamie Mauldin <jmauldin@lglawfirm.com>, "Lander, Merritt" <Merritt.Lander@puc.texas.gov>, Kathryn Allen <kallen@keallenlaw.com>

Will do, thank you.

[Lisa.gomez@soah.texas.gov](mailto:Lisa.gomez@soah.texas.gov)

Thank you,

**Nadia Martinez**

Legal Secretary

State Office of Administrative Hearings

512-475-4993

[Nadia.martinez@soah.texas.gov](mailto:Nadia.martinez@soah.texas.gov)

**Flunker, Patricia**

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**From:** Edward Gutierrez <Edward@gorainmaker.com>  
**Sent:** Thursday, April 6, 2023 9:00 PM  
**To:** Flunker, Patricia  
**Cc:** patti flunker  
**Subject:** Re: Copy Job

Patti,

Apologies for not emailing you sooner. I delivered your project at 3:30pm today. Have a great weekend.

**Edward F. Gutierrez**  
**Rainmaker Document Technologies, Inc.**  
515 Congress Avenue, Suite F  
Austin, TX 78701  
Office: 512-472-9911  
Cell: 512-560-4745  
www.gorainmaker.com | edward@gorainmaker.com

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On Apr 6, 2023, at 11:17 AM, Flunker, Patricia

No, that should be it, no more exhibits.  
Here are the instructions

Deliver to the State Office of Administrative Hearings, Room 504,5th Floor, William P. Clements Building, 300 West 15th Street, Austin, Texas, 78701, goes to the Assistant of ALJ Christian Siano who is Lisa Gomez and Nadia Martinez is the Paralegal.

Two copies w/ exhibit numbers.

Please use the cover sheet for the binders.

Have the exhibit list for the TOC

**From:** Edward Gutierrez <Edward@gorainmaker.com>  
**Sent:** Thursday, April 6, 2023 9:26 AM  
**To:** Flunker, Patricia

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## Automatic reply: Ratepayers Exhibits 144A and 145

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**Lisa Gomez** <Lisa.Gomez@soah.texas.gov>

Thu, Apr 6, 2023 at 5:49 PM

To: Ratepayers Representatives <ratepayersrepjosiefuller@gmail.com>

I am currently out of the office. I will return on April 17. If you need assistance please contact Michael Martinez and Erin Hurley.

michael.martinez@soah.texas.gov for IDEA CASES

erin.hurley@soah.texas.gov for General Docket or ALR cases.

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