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



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

**RATEPAYERS' REPRESENTATIVES ANSWERS TO WINDERMERE OAKS WATER
SUPPLY CORPORATIONS FIRST REQUEST FOR INFORMATION**

COMES NOW, the Ratepayers Representatives of the Windermere Oaks Water Supply Corporation ("Ratepayers") and files these Responses to Windermere Oaks Water Supply Corporation (WOWSC) First Request for Information, Questions 1-15

Respectfully submitted,

Josephine Fuller

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic email on September 28, 2020 in accordance with the Order Suspending Rules, issued in Project 50664.

Josephine Fuller

Josephine Fuller, Ratepayer Representative

Patti Flunker

Patti Flunker, Ratepayer Representative

RATEPAYERS' RESPONSES TO WINDERMERE OAKS WATER SUPPLY CORPORATION REQUEST FOR INFORMATION 1-1 THROUGH 1-15

WOWSC RFI No. 1-1

Admit or deny that Ratepayer Representative Patti Flunker resides in the same house as Daniel Flunker, former registered principal of TOMA Integrity, Inc., the entity that sued WOWSC in Travis County District Court.

Ratepayer's Response

Deny, TOMA Integrity, Inc did not sue WOWSC in Travis County District Court.

Prepared by Patti Flunker

WOWSC RFI No. 1-2

Provide all Public Information Act Requests from Ratepayer Representatives and other WOWSC members to WOWSC regarding WOWSC operations, services, litigation fees, board members, and rates from 2017 to present.

Ratepayer's Response

WOWSC RFI No. 1-2 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-3

On Feb. 29, 2020, representatives from Aqua Texas, Inc., Aqua Utilities, Inc., and Aqua Development, Inc. d/b/a Aqua Texas (Aqua Texas) gave a presentation to WOWSC members. Admit or deny that Petitioners advertised and/or promoted via email or social media posting the event to WOWSC members.

Ratepayer's Response

WOWSC RFI No. 1-3 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-4

Provide all correspondence and documents between Petitioners and representative of Aqua Texas representatives between January 1, 2019 and August 26, 2020.

Ratepayer's Response

WOWSC RFI No. 1-4 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-5

Admit or deny that you are receiving any payment, reimbursement, compensation, or other financial remuneration, including promises of payment, from Aqua Texas or other water utilities. If admission, please provide all correspondence or documentation regarding the same

Ratepayer's Response

Deny

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-6

Provide all correspondence between Josie Fuller and Patti Flunker and the named plaintiffs in Cause No. 48929, in the 33rd Judicial District of Burnet County, Texas, Dick Dial, Bruce Sorgen, and Rene Ffrench, regarding WOWSC operations, services, litigation fees, board members, and rates from 2017 to present.

Ratepayer's Response

WOWSC RFI No. 1-6 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-7

Provide all correspondence and documents between Ratepayer Representatives and signatories to the rate protest petition filed in this docket regarding the Petition to Appeal Rates from January 1, 2019 to present.

Ratepayer's Response

WOWSC RFI No. 1-7 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-8

Provide all correspondence and documents between Ratepayer Representatives and signatories to the rate protest petition filed in this docket regarding WOWSC operations, services, litigation fees, Ratepayer Representatives nominations, and rates from 2017 to present.

Ratepayer's Response

WOWSC RFI No. 1-3 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-9

Admit or deny that Ratepayer Representatives sent a survey to WOWSC members regarding WOWSC operations, service, and rates. If admission, provide the survey and all drafts of the survey.

Ratepayer's Response

WOWSC RFI No. 1-9 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-10

If the response to WOWSC 1-9 is "admit," then provide all survey responses and the email and IP addresses from the respondents of the survey.

Ratepayer's Response

WOWSC RFI No. 1-10 is related to WOWSC RFI 1-9, therefore subject to a pending ruling on objection to this RFI.

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-11

WOWSC 1-11 Provide all correspondence between Ratepayer Representatives and Texas Rural Water Association employees and executives concerning WOWSC operations, services, board members, and rates from 2016 to present.

Ratepayer's Response

Josie Fuller and Patti Flunker do not possess any type of correspondence between the Ratepayer Representatives and Texas Rural Water Association employees and executives concerning WOWSC operations, services, board members, and rates from 2016 to present.

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-12

Provide links and/or video files to all posts by Petitioners on NextDoor, Facebook, YouTube and other social media platforms regarding WOWSC, its Board members, operations, services, and rates from 2017 to present.

Ratepayer's Response

WOWSC RFI No. 1-12 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-13

Provide all correspondence from Ratepayer Representatives to WOWSC Board members from 2016 to present.

Ratepayer's Response

WOWSC RFI No. 1-13 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-14

Provide all correspondence and documents between Josie Fuller and Patti Flunker regarding WOWSC operations, services, litigation fees, board operations, board members and rates from 2017 to present.

Ratepayer's Response

WOWSC RFI No. 1-14 is subject to a pending ruling on objection to this RFI

Prepared by Josie Fuller and Patti Flunker

WOWSC RFI No. 1-15

Admit or deny that Ratepayer Representatives petitioned to remove Joe Gimenez from the Board of Directors of WOWSC in 2019.

Ratepayer's Response

Deny. On October 9, 2019 Oren "Mark" McDonald, WOWSC Ratepayer petitioned the WOWSC Board with a removal petition at their Open Board Meeting¹

Prepared by Josie Fuller and Patti Flunker

¹ https://www.wowsc.org/documents/778/2019-10-9_WOWSC_Board_Meeting_Minutes_Approved.pdf