



Control Number: 50788



Item Number: 84

Addendum StartPage: 0

SOAH NO. 473-20-4071.WS

PUC DOCKET NO. 50788

RECEIVED

2021 MAR 11 PM 3:10

PUBLIC UTILITY COMMISSION
FILING CLERK

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

**RATEPAYERS RESPONSE AND OBJECTION TO
WINDERMERE OAKS WATER SUPPLY CORPORATION MOTION TO COMPEL**

TO: Windermere Oaks Water Supply Corporation by and through the Corporation's attorney of record, Jamie Mauldin, Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701

Windermere Oaks Water Supply Corporation Ratepayer Representatives' (Ratepayers) provides the attached responses and objection to Windermere Oaks Water Supply Corporation's Request for Information filed on September 30, 2021 and their Motion to Compel for responses filed on March 4, 2021. This pleading is timely filed as Pursuant to 16 Texas Administrative Code (TAC) § 22.144, of the Commission's Procedural Rules.

Respectfully submitted,

Josephine Fuller

Josephine Fuller, Ratepayer Representative
328 Coventry Road
Spicewood, Texas 78669
(512) 743-2553
ratepayersrepsjosefuller@gmail.com

Patti Flunker

Patti Flunker, Ratepayer Representative
307 Coventry Road
Spicewood, Texas 78669

(512) 699-1082

ratepayersrepjosiefuller@gmail.com

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 March 11, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

Josephine Fuller

Josephine Fuller, Ratepayer Representative

Patti Flunker

Patti Flunker, Ratepayer Representative

II. ANSWERS AND OBJECTIONS

WOWSC 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.

The Ratepayers have made a good faith effort in obtaining documents responsive to the request, however the requested documents do not exist and is not within the Ratepayers' possession custody or control.¹ The Ratepayers setup a free account to use Survey Planet. Free accounts. The free account only allows for anonymous responses and data. IP addresses and emails do not exist for survey respondents. However, the Ratepayers do have copies of the emails which were sent to the WOWSC member which is attached to Exhibits.

WOWSC RFI No. 1-13: Provide all correspondence from Ratepayer Representatives to WOWSC Board members from 2016 to present.

The Ratepayers object to this request as the WOWSC in its MOTION TO COMPEL FIRST REQUEST FOR INFORMATION to the Ratepayer Representatives filed on September 30, 2020 did not include a motion to compel for RFI 1-13. In reading the PUC Procedural Rules 22.144 4 (e) the WOWSC has waived it rights for their motion to compel on 1-13 because their motion to compel in their September 30, 2021 did not include RFI 1-13, accordingly the Ratepayers have construed their absence to compel on RFI 1-13 as their indication that all the parties have

¹ In re Colonial Pipeline Co., 968 S.W.2d 938 (Tex. 1998).

resolved their dispute. The Ratepayers are non-lawyers and do understand that this Rate Appeal proceeding does not give exceptions to non-lawyers to deviate from procedural rules, however as a WOWSC member and representatives of the thirty percent of the WOWSC Ratepayers who fund paying for the expert water law attorneys our expectation is that these oversights on reviewing procedural rules should not be billed to the WOWSC.

WOWSC 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.

Email communication between Josie Fuller and Patti Flunker is limited. Josie Fuller and Patti Flunker residences are with 1000 feet of each other and communicate on all issues related to the WOWSC operations, services, litigation fees, board operations and board members and rates through in person and with telephone or face-to-face communications. After a thorough scan of emails, the Ratepayers have produced the emails as an attachment to Exhibits.

Privilege Log

All emails are attachment to Exhibits.

EXHIBIT A

Josephine Fuller

jatepayers@reggiefuller@gmail.com

 Account

 Log Out

[Profile](#) [Email](#) [Password](#) [Billing](#)

Your Plan

SurveyPlanet Free Plan

Upgrade to take advantage of SurveyPlanet's Pro tools.

Free

\$0

Your Current Plan

- Unlimited Surveys
- Unlimited Questions
- Unlimited Responses
- Opening & Closing Messages
- Two Survey Player Types
- Share Surveys on Social Networks
- Anonymous Surveys
- Duplicate Surveys with a Single Click
- SSL Security
- No Data-Mining or Information Selling
- Anonymous Data & Responses
- Share Surveys with Email
- Survey Embedding
- Over 90 Pre-Written Surveys
- Basic Survey Themes
- Create Surveys in 20 Languages
- Basic In-App Reports
- Delete Unwanted Participants

Pro

\$20 USD/month or \$180 USD/year

[Sign Up](#)

- All Free Features +
- Export Survey Results
- Custom Themes
- Question Branching
- Survey Results Filtering
- Export/Print Surveys
- Opening & Closing Images
- Question Images & Custom Formatting
- Alternative Success URL Redirect
- Compelling Survey Theme Templates
- Custom User-Created Survey Themes
- White Label Surveys
- Kiosk Surveys
- Email Survey Completion Notifications
- Four Chart Types for Survey Results
- Image Choice Question
- Optional Comments for Survey Questions
- Survey Length Estimate
- Text Message Survey Completion Notifications

Date: 9/10/20 11:07 AM (GMT-06:00)
To: patti flunker <patriciaflunker@yahoo.com>
Subject: Re: Legal Fees

Yes the board has become a burden to its member because of risk control is out of control

On Sep 10, 2020 9:38 AM, "patti flunker" <patriciaflunker@yahoo.com> wrote:

Josie,

Pasted below is an excerpt from Texas Business Organization Code, specifically Section 8.104. In laymans terms when D&O doesn't kick in, a corporation can pay/advance board members legal fees from the corporation's funds. HOWEVER, prior to doing this they MUST signed those affidavits aka IOU's prior to the beginning of the payment. They did not do this until Nov/Dec. of 2019 So, they paid most of 2019 legal invoices in violation of section 8.104 see my highlight below.

Sec. 8.104. ADVANCEMENT OF EXPENSES TO PRESENT GOVERNING PERSONS OR DELEGATES (a) An enterprise may pay or reimburse reasonable expenses incurred by a present governing person or delegate who was, is, or is threatened to be made a respondent in a proceeding in advance of the final disposition of the proceeding without making the determinations required under Section 8.101(a) **after the enterprise receives:**

1) a written affirmation by the person of the person's good faith belief that the person has met the standard of conduct necessary for indemnification under this chapter; and

(2) a written undertaking by or on behalf of the person to repay the amount paid or reimbursed if the final determination is that the person has not met that standard or that indemnification is prohibited by Section 8.102.

THEY PAID LEGAL INVOICES BEFORE THE ENTERPRISE RECEIVED THE AFFIDAVITS!!!!!! btw
Enterprise here means "corporation"

From: patriciaflunker <patriciaflunker@yahoo.com>
Date: 11/18/20 11:05 PM (GMT-06:00)
To: Josie Fuller <josiefuller1@gmail.com>
Subject: Guide_to_Mediation_at_SOAH.pdf

FYI...please read

Sent from my T-Mobile 4G LTE Device



Guide_to_Mediation_
at_SOAH.pdf

From: patti flunker <patriciaflunker@yahoo.com>
Date: 11/11/19 7:17 PM (GMT-06:00)
To: Josie Fuller <josiefuller1@gmail.com>
Subject: Fw: Charges Against Joe Gimenez for Removal

I sent this so he was presented with charges as you requested

----- Forwarded Message -----

From: patti flunker <patriciaflunker@yahoo.com>
To: Joe Gimenez <1129jig@gmail.com>
Cc: Mike Gershon <mgershon@lglawfirm.com>; Josie Fuller <josiefuller1@gmail.com>
Sent: Sunday, November 3, 2019, 12:58:42 PM CST
Subject: Charges Against Joe Gimenez for Removal

I was asked to send this.

Please accept this as the charges being presented for Mr Gimenez removal.

- Joe Gimenez made a motion to pay himself \$5,000/\$416 a month with the income of the Corporation as the public information officer of our Corporation.
- Joe Gimenez is signing the checks which are written to his company G3 Public Relations. G3 Public Relations was not hired by the Windermere Oaks Board of Directors to be the public information officer. We believe Joe Gimenez is signing a check to his company because our Articles of Incorporation states no officer, director or members shall be paid from the income of the Corporation.
- Joe Gimenez also sits on the Windemere Oaks Property Owners Association as the President. He has frequently stated that he has limited time to perform the duties while working a full-time job, along with taking on these volunteer duties.
- Joe Gimenez as the President of the Water Corporation, acting without a formal vote of the board of directors as required by the Texas Open Meetings Act, authorized the Water Supply Corporation's team of attorneys to file a lawsuit against The Honorable Ken Paxton, Texas Attorney General in Travis County District Court without all board members knowledge or vote to initiate this litigation.

----- Original message -----

From: patti flunker <patriciaflunker@yahoo.com>
Date: 11/11/19 7:17 PM (GMT-06:00)
To: Josie Fuller <josiefuller1@gmail.com>
Subject: Fw: Charges Against Joe Gimenez for Removal

don't forget I sent this so he was presented with charges

----- Forwarded Message -----

From: patti flunker <patriciaflunker@yahoo.com>
To: Joe Gimenez <1129jig@gmail.com>
Cc: Mike Gershon <mgershon@lglawfirm.com>; Josie Fuller <josiefuller1@gmail.com>
Sent: Sunday, November 3, 2019, 12:58:42 PM CST
Subject: Charges Against Joe Gimenez for Removal

I was asked to send this.

Please accept this as the charges being presented for Mr Gimenez removal.

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- Joe Gimenez is signing the checks which are written to his company G3 Public Relations. G3 Public Relations was not hired by the Windermere Oaks Board of Directors to be the public information officer. We believe Joe Gimenez is signing a check to his company because our Articles of Incorporation states no officer, director or members shall be paid from the income of the Corporation.
- Joe Gimenez also sits on the Windemere Oaks Property Owners Association as the President. He has frequently stated that he has limited time to perform the duties while working a full-time job, along with taking on these volunteer duties.
- Joe Gimenez as the President of the Water Corporation, acting without a formal vote of the board of directors as required by the Texas Open Meetings Act, authorized the Water Supply Corporation's team of attorneys to file a lawsuit against The Honorable Ken Paxton, Texas Attorney General in Travis County District Court without all board members knowledge or vote to initiate this litigation.

EXHIBIT B



Water Survey

1 message

Josie Fuller <ratepayersrepjosiefuller@gmail.com>

Wed, Aug 19, 2020 at 4:22 PM

To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Bcc: fdonatti@yahoo.com, lajuanadunlap@yahoo.com, olivia.duran14@hotmail.com, ellis2315@sbcglobal.net, larryfeingersh@gmail.com, darla.ferguson@outlook.com, Lawrence Ffrench <lrffrench@gmail.com>, scott <scott@ssfield.com>, mfletcher8180@gmail.com, Justin Boden <justinlboden@gmail.com>, JohnSFordMD@aol.com, ronfuller1947@gmail.com, Albina gallyamova <AGALLYAMOVA@yahoo.com>, jeanniegeaccone777@yahoo.com, cgga@aol.com, Kim Goyette <kimf4mb@gmail.com>, charmedlife4@gmail.com, ed@eismaj.org, thannafin@hillcountryweb.com, maceyih@yahoo.com, dibeau@moment.net, dibeaycorp@gmail.com, ghastings4@gmail.com, jeheine@aol.com, chendricks71@gmail.com, rjhicks4@gmail.com, Byron Highfill <bhigh@zeecon.com>, helen@aerodesigninc.com, drbradhubbard@yahoo.com, dhuston58@gmail.com, cindy.ivey@williams.com, johnson1545@me.com, skip4johnson@gmail.com, David <david@securepo.com>, callen@padminc.com, rkoehler@flash.net, christopherkriens@mac.com, melodywalker427@gmail.com, Steve LaPoint <lapoints@gmail.com>, nancyllerner@gmail.com, lewismrjw@gmail.com, hubertlormand@gmail.com, jwl.jr@att.net, jacemattison@gmail.com, marym060102@yahoo.com, liz@mcalisterassets.com, CMCSSI@aol.com, ssmeece@sbcglobal.net, N193DM@yahoo.com

I hope everyone is doing well during these unprecedented times. As a ratepayer representative in our rate case at the Public Utility Commission we would like to know how you feel about our new water/sewer rates and the overall service and operations of our water/sewer utility. If you haven't already completed, please click on the link below to take the survey we have put together to get your feedback. **This survey is not from the water supply corporation**, it's from customers who want to know what other customers think. We'll share the results with everyone this week.

Thanks again for your participation in this important survey and if you have taken this already...thanks!

Sincerely,

Josie Fuller

WOWSC Ratepayer - The link for the survey is - (<https://s.surveyplanet.com/yQYCZwdUIP>)



Water Utility Survey

1 message

Josie Fuller <ratepayersrepjosiefuller@gmail.com>

Wed, Aug 12, 2020 at 12:37 PM

To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Bcc: baron581@verizon.net, ron@spiralenergycorp.com, BarnesTerryA@netscape.net, DLBpilot@gmail.com, tedblackerby@gmail.com, Robert Castor <val2bob@yahoo.com>, rcuddie1943@gmail.com, J. R. <jrdial@hal-pc.org>, wl8306931280@doffing.net, fdonatti@yahoo.com, mgd4330@gmail.com, kevin@elpers.us, PDFarmer@alumni.ucsd.edu, larry@larrythelender.com, Lawrence Ffrench <lrffrench@gmail.com>, Carol Foy <cfoyfly@msn.com>, dibeaucorp@gmail.com, chendricks71@gmail.com, steveh9084@aol.com, rocky@aerodesigninc.com, chuston@ipaustin.com, skip4johnson@gmail.com, bkeller@aecoi.net, David <david@securepo.com>, Steve LaPoint <lapoints@gmail.com>, tjlinscomb@gmail.com, garynmartin@aol.com, n193dm@gmail.com, yakadillo@gmail.com, kmoor@suddenlink.net, rmoore@russelmoore.com, James Murdoch <murdochiii@gmail.com>, terryoppliger@hotmail.com, lrpartridge@cs.com, fred@petticrew.net, jacenpuerta@yahoo.com, bruce_rodde@msn.com, nedross1@gmail.com, rebekahryan@mac.com, traciebettin@saboconsolidated.com, jstrom@cesdenver.com, larrywade237@gmail.com, bwilbers61@gmail.com, michael.williams@reagan.com, joe.b.wyatt@me.com, malcolmdbailey@comcast.net, Dennis Cox <dennis@scrappyrobot.com>, douglas.duggan@gmail.com, dkehoe@petrosourcesconsulting.com, maddogmeade@aol.com, normanrmorse@gmail.com, skippresley@yahoo.com, Reicherlator@yahoo.com, zwright320@gmail.com, davidlchapmansr@gmail.com, skymaster560@gmail.com, CMCSSl@aol.com, susan_vannostrand@yahoo.com, tkbradfield@gmail.com, bossjackson@gmail.com, Judy Carmichael <jlccarmichael123@gmail.com>, flyadamsair@att.net, john@veteransatyourservice.org, d9033@web.de, aquatronne@gmail.com, kitfoxbill@peoplepc.com, Littleton Billingsley <lcbaviation@hotmail.com>, bryan.black@yahoo.com, gary.branks@mac.com, steve.burroughs@gmail.com, kbutler1952@austin.rr.com, echance53@yahoo.com, ajdrilling@austin.rr.com, skinorth@hotmail.com, jgcm81@yahoo.com, sduda@alpineinc.com, dickewbank@gmail.com, chris@tunadivers.com, chip.freitag@gmail.com, jeg1964@yahoo.com, stangraham@att.net, paharden@gmail.com, thearn@bluerivercustombuilders.com, scott.r.hess@gmail.com, doughodge33@gmail.com, pophop58@gmail.com, paul@txbuildingsolutions.com, Leah Hughes <info@txbuildingsolutions.com>, dinman@hces.net, jdouglasivey@gmail.com, aaron7640E@hotmail.com, jon@kemp.net, ppsel03@gmail.com, N899KA@gmail.com, akrizak@gmail.com, kusssm1@outlook.com, kentleighton@gmail.com, thomas@briarcliffmarina.com, fedmanigold@gmail.com, robmazz@aol.com, Tim McCaskill <tim@propartusa.com>, martymcconnell@austin.rr.com, tnelson6996@yahoo.com, rolniey@zeep.com, Wesley Perkins <wesleydperkins@gmail.com>, michaelpriede@msn.com, lacyrose@aol.com, whitsams2@gmail.com, davidscott@comcast.net, dustysimmons@runbox.com, gasmithgspi@gmail.com, Bruce Sorgen <ssorgen@msn.com>, carlmt45@indra.com, cayce@ucap.com, dave.underhill@gmail.com, jsutz@earthlink.net, seanvc77@gmail.com, kvermelis@me.com, stevevidal7@gmail.com, walker.jeff@gmail.com, aeroviallc@gmail.com, bob@wirthtel.com, gc1126young@gmail.com, rickberry@resource-corp.com, gheavin@curves.com, Eagleflight73@hotmail.com, billj@mccoypetroleum.com, tmatthews13@me.com, keith@tetra2000.com, cfi@sotowaviation.com, D Flunker <dflunker@gmail.com>, patriciaflunker@yahoo.com

As a ratepayer representative of over 30% of the members in our water/sewer rate appeal case at the Public Utility Commission we would like to know your feelings about our new water/sewer rates and the overall service and operations of the utility. We have put together a survey to get your feedback, so please take a moment to fill out the survey by clicking on the link below.

You can take the survey up until August 19, 2020 after that date it will be closed and on August 20, 2020 we will share the results with everyone who has completed the survey. Thank you for your participation in this important survey.

Sincerely,

Josie Fuller
WOWSC Ratepayer Representative

The link for the survey is - (<https://s.surveyplanet.com/yQYCZwdUIP>)

DISCLAIMER: THIS IS NOT FROM THE WINDERMERE OAKS WATER SUPPLY CORPORATION NOR ARE THEY A PART OF THIS SURVEY

EXHIBIT C

From: **Byron Highfill** <bhigh@zeecon.com>
Date: Fri, May 1, 2020, 9:55 AM
Subject: RE: WOWSC Customers Water Rate Appeal
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Hi; This is Kim Highfill . I live in Windermere Oaks. If you would I would like to sign the petition. I got my water bill yesterday and was flabbergasted at the rate increase. My water bill went from 135.00 to 222.52. I'm dreading July And August. Thank you for your effort on rectifying this rate increase.

From: **Kim Goyette** <kimf4mb@gmail.com>
Date: Thu, Apr 30, 2020, 2:30 PM
Subject: Re: WOWSC Customers Water Rate Appeal
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Hello I would like to be on the appeal.

Kim Goyette
(512) 294-4744
Kimf4mb@gmail.com

From: **Ratepayers Representative** <ratepayersrepjosiefuller@gmail.com>
Date: Sat, May 2, 2020, 1:37 PM
Subject: Re: appeal form
To: laurennfdc@yahoo.com <laurennfdc@yahoo.com>

Lauren,
Here ya go. Fill out information and send back. Let me know if you have any questions.

On Sat, May 2, 2020 at 11:17 AM Lauren Menendez <laurennfdc@yahoo.com> wrote:
Hi Josie,

I would like to sign the appeal form, for windermere water sewer rate increases, thanks!

Lauren
301 Bedford

Sent from Yahoo Mail on Android

From: **Ratepayers Representative** <ratepayersrepjosiefuller@gmail.com>
Date: Thu, Apr 30, 2020, 5:05 PM
Subject: Re: WOWSC Customers Water Rate Appeal
To: Jill Martin <jminicktx@yahoo.com>

Jill...here ya go, just fill out and sent back. Let me know if you have any questions.

On Thu, Apr 30, 2020 at 3:33 PM Jill Martin <jminicktx@yahoo.com> wrote:
Please send form to me! Outrageous!

Sent from Yahoo Mail for iPhone

From: **Ralph Wilburn** <rwilburn@perform-design.com>
Date: Thu, Apr 30, 2020, 2:34 PM
Subject: RE: WOWSC Customers Water Rate Appeal
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Thank you Josie for your representation

Ralph and Kathy

From: patti flunker <patriciaflunker@yahoo.com>
Date: 8/16/20 5:21 PM (GMT-06:00)
To: Josie Fuller <ratepayersrepjosiefuller@gmail.com>
Subject: Re: Bear Creek SUD Rate Appeal

I've been following this rate appeal at the PUC look at this rate appeal for guidance for us, it's a very interesting case and I think we can learn from it. The docket # is 49351, I think is a good case to keep in an eye as a ratepayer is representing the customers, not an attorney.

From: **Byron Highfill** <bhigh@zeecon.com>
Date: Fri, May 1, 2020, 9:55 AM
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Date: Thu, Apr 30, 2020, 2:30 PM
Subject: Re: WOWSC Customers Water Rate Appeal
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Hello I would like to be on the appeal.

Kim Goyette
(512) 294-4744
Kimf4mb@gmail.com

From: **Ratepayers Representative** <ratepayersrepjosiefuller@gmail.com>
Date: Sat, May 2, 2020, 1:37 PM
Subject: Re: appeal form
To: laurenndfc@yahoo.com <laurenndfc@yahoo.com>

Lauren,
Here ya go. Fill out information and send back. Let me know if you have any questions.

On Sat, May 2, 2020 at 11:17 AM Lauren Menendez <laurenndfc@yahoo.com> wrote:
Hi Josie,

I would like to sign the appeal form, for windermere water sewer rate increases, thanks!

Lauren
301 Bedford

[Sent from Yahoo Mail on Android](#)

From: **Ratepayers Representative** <ratepayersrepjosiefuller@gmail.com>
Date: Thu, Apr 30, 2020, 5:05 PM

Subject: Re: WOWSC Customers Water Rate Appeal
To: Jill Martin <jminicktx@yahoo.com>

Jill...here ya go, just fill out and sent back. Let me know if you have any questions.

On Thu, Apr 30, 2020 at 3:33 PM Jill Martin <jminicktx@yahoo.com> wrote:
Please send form to me! Outrageous!

[Sent from Yahoo Mail for iPhone](#)

From: **Ralph Wilburn** <rwilburn@perform-design.com>
Date: Thu, Apr 30, 2020, 2:34 PM
Subject: RE: WOWSC Customers Water Rate Appeal
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Thank you Josie for your representation

Ralph and Kathy

From: patti flunker <patriciaflunker@yahoo.com>
Date: 8/16/20 5:21 PM (GMT-06:00)
To: Josie Fuller <ratepayersrepjosiefuller@gmail.com>
Subject: Re: Bear Creek SUD Rate Appeal

I've been following this rate appeal at the PUC look at this rate appeal for guidance for us, it's a very interesting case and I think we can learn from it. The docket # is 49351, I think is a good case to keep in an eye as a ratepayer is representing the customers, not an attorney.

From: patti flunker <patriciaflunker@yahoo.com>
Date: 4/20/20 4:25 PM (GMT-06:00)
To: Josie Fuller <josiefuller1@gmail.com>, Lawrence Ffrench <lrfrench@gmail.com>, "J. R." <jrdial@hal-pc.org>, Judy Carmichael <jlcarmichael123@gmail.com>, Michele Christenson <michele@peacocksplumage.com>, Mark McDonald <markmc@nctv.com>, Marsha Westerman <thatlidoaussies@aol.com>, 'Mark McDonald' <wylievol@tstar.net>, Bill Stein <wp_stein@yahoo.com>,

'Michele Christenson' <michelec@austin.rr.com>, Carol Foy <cfoyfly@msn.com>, 'Tom/Sherry Mudder' <sherrytommudder@hotmail.com>

Subject: Patricia Gerino signs a petition appealing the water rates in Ridge Harbor

Did you see this?

She get's on the board because of Dana Martin, just a few months on votes to raise our water/sewer rates by 71% to cover for her bff's legal fees and justifies it!!!!

But low and behold her neighborhood Ridge Harbor water utility raises their rates and she signs a petition and submits it to the PUC on challenging Corix's rate hike!

So she thinks it's ok to pass on Dana Martin's legal fees to us via a rate hike but it's not ok for her water system to raise rates for whatever their reason.



Public Utility Commission of Texas

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Case 50557-176

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File Stamp 3/27/2020

Filing Party PATRICIA GERINO

Case Style APPLICATION OF CORIX UTILITIES (TEXAS), INC. FOR AUTHORITY TO CHANGE RATES

Filing Description RATEPAYER PROTEST

2 document(s)

Name	Description	Type
S0557_176_1057850	Pages 1 to 2	PDF
S0557_176_1057976	Pages 1 to 2	PDF

Public Utility Commission of Texas

AGENCY INFO

OTHER GOVERNMENT



Patricia Gerino.PDF



Re: Risk Psychology: The Ethics of Business

From: Bruce Sorgen (ssorgen@msn.com)

To: robbve@gmail.com

Cc: dflunker@gmail.com; jrdial@hal-pc.org; jlcarmichael123@gmail.com; lrffrench@gmail.com; patriciaflunker@yahoo.com

Date: Friday, November 8, 2019, 12:10 PM CST

Absolutely

Sent from my iPhone

On Nov 8, 2019, at 12:08, Robb Van Eman <robbve@gmail.com> wrote:

Maybe he should get a printed copy of his article and a copy of the lawsuit in the same envelope in the mail?

On Fri, Nov 8, 2019 at 10:06 AM Mister Flunker <dflunker@gmail.com> wrote:

Oh man, This is rich!

----- Forwarded message -----

From: **Dana J. Martin** <friends@tstar.net>

Date: Tue, Aug 7, 2012 at 9:50 AM

Subject: Risk Psychology: The Ethics of Business

To: Dana Martin <friends@tstar.net>

Dear Friends,

Thought you might enjoy reading the recently published article by my brother-in-law, Gordon Goodman, for GARP, a well respected risk management association. He has several published articles with them.

Sincerely,
Dana

--

~Robb

Robb S. Van Eman
+1.512.484.3090 (m)

From: **Joe Cohen** <509coventry@gmail.com>
Date: Thu, Apr 30, 2020, 1:05 PM
Subject: Re: WOWSC Customers Water Rate Appeal
To: <ratepayersrepiosiefuller@gmail.com>

I'd like to add my name to the appeal.

On Thu, Apr 30, 2020 at 1:04 PM Joseph Cohen <jcohen22@gmail.com> wrote:

On Thu, Apr 30, 2020 at 11:55 AM Ratepayers Representative <ratepayersrepiosiefuller@gmail.com> wrote:

Dear Windermere Oaks Water Supply Corporation Customers,

I hope everyone is staying safe and healthy.

As you know the WOWSC board of directors recently raised our water and sewer rates by 71%. Over 20% of the customers of the WOWSC signed a petition a month ago challenging these rates, which was just filed at the Public Utility Commission of Texas for their review of what we believe is unjust and unreasonable rates.

The new rates became effective March 23, 2020 and you should be receiving your new bill soon reflecting these increases. The new water rate is \$90.39 and the sewer rate is \$66.41 for a combined total of \$156.80. Keep in mind these fees are just base rates, meaning it's just to have water and sewer service connection, this doesn't include any gallon charge. So, depending on how much water you use, your rates will go up in this tiered rate system. For example, 0-2,000 gallons of water consumed adds on \$3.55 per 1,000 gallons used, 2,001 – 4,000 gallons adds on a \$6.50 per gallon used, etc. For sewer it's \$3.94 per 1,000 gallons of water consumed. So, let's say you use 3,000 gallons of water a month, your bill will look like this:

Water base rate (just to have access to water) = \$90.39 (previous charge \$50.95)

Water - 2,000 gallons @ \$3.55 a gallon = \$7.10

Water – 1,000 gallons @ \$6.50 a gallon = \$6.50

Total for 3,000 gallons of water = \$103.99

Sewer base rate (just to have access to sewer) = \$66.41 (previous charge \$40.12)

Sewer – 3,000 gallons @ \$3.94 a gallon = \$11.82

Total for 3,000 gallons for sewer = \$78.23

Total water/sewer bill = \$182.22 (not including taxes or late fees) for 3,000 gallons of water.

More than likely you will be paying over \$200 for 3,000 gallons of water.

I will keep you posted on the status of this appeal at the Public Utility Commission. If you would like to add your name to the appeal, please let me know and I will forward you a form to fill out. To view the order for this appeal filed with the Public Utility Commission, click on this

link https://interchange.puc.texas.gov/Documents/50788_2_1063511.PDF

Sincerely,

Josie Fuller

From: **Justin Boden** <justinlboden@gmail.com>

Date: Tue, Jul 14, 2020, 8:01 PM

Subject: Ratepayers's Petition

To: Ratepayers Representative <ratepayersrepiosiefuller@gmail.com>



Petition 1.pdf

Sent via mobile

From: **Marsha G. Westerman** <marshamemo@icloud.com>
Date: Wed, Jul 15, 2020, 7:59 AM
Subject: Re: Windermere Oaks WSC Ratepayer Case at the PUC
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Josie,
Thank you for working so hard for the community!

Marsha

On Jul 14, 2020, at 11:12 PM, Ratepayers Representative <ratepayersrepjosiefuller@gmail.com> wrote:

I would like to thank everyone for their participation in the PUC Rate Case. As promised, I am updating you on the latest developments of our rate case at the PUC. Last week we filed our List of Issues to be addressed, the issues include:

1. Can the Public Utility Commission exclude The Corporation's legal expenses from cost of service when they are not in the public's interest?
2. Can the Public Utility Commission evaluate the financial integrity of The Corporation to include evaluating valuable underutilized rural land assets?
3. Are the unprecedented legal expenses, with the exception of typical general counsel legal fees for The Corporation unjust and unreasonable and should not be included in the cost of service passed on to the ratepayers?
4. Should the Public Utility Commission establish Interim Rates to be in effect until a final decision is made given the statement made by The Corporation that they may need to file for bankruptcy or sell the utility if they do not prevail in a pending lawsuit?

The case has been referred to the State Office of Administrative Hearings (SOAH) for their review to conduct a hearing and issue a proposal for decision, if necessary. Also, the PUC Commission will be considering and possibly adopting a preliminary order in this matter at its July 16, 2020 open meeting which starts at 9:30 AM and can be viewed here

<https://www.puc.texas.gov/agency/calendar/OpenMeetings.aspx>

If you would like to follow the case, the docket number is #50788 and the link to PUC is [WOWSC Ratepayer Case at the PUC](#).

Thanks to everyone for standing up to do the right thing. I am very hopeful that PUC & SOAH will reinstate our previous rates and look out for the ratepayers.

Josie Fuller

From: **Lajuana Dunlap** <lajuanadunlap@yahoo.com>
Date: Thu, Jul 16, 2020, 8:24 AM

Subject: Re: Windermere Oaks WSC Ratepayer Case at the PUC
To: Ratepayers Representative <ratepayersrepjosiefuller@gmail.com>

Thanks Josie!

Regards,
LaJuana Dunlap
501.249.2596
lajuanadunlap@yahoo.com

On Jul 14, 2020, at 11:12 PM, Ratepayers Representative <ratepayersrepjosiefuller@gmail.com> wrote:

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Thanks to everyone for standing up to do the right thing. I am very hopeful that PUC & SOAH will reinstate our previous rates and look out for the ratepayers.

Josie Fuller

From: **David** <david@securepo.com>
Date: Thu, Apr 30, 2020, 1:05 PM
Subject: Petition for David Kerley
To: <ratepayersrepjosiefuller@gmail.com>

Thanks for taking this on.