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COMPLAINT OF JOHN
BLALOCK AGAINST
MERCY WATER
SUPPLY
CORPORATION



PUBLIC UTILITY
COMMISSION STAFF

**MR. BLALOCK'S COMMENTS ON THE FORMAL COMPLAINT IN ITS
CURRENT STATE**

The following is Mr. Blalock's comments and honest thoughts on the current state of the formal complaint:

I am writing this in case certain actions and comments by Mercy through their legal representation, are not addressed by the Commission Staff.

First, I would like to comment on the tactic change from Mercy. At first, all of their arguments were on the notion that the meter, this formal complaint started about, went with the Southern Tract of Land (1601 Bowen Loop, Cleveland, Texas 77328) and not the Nothern Tract of Land (1611 Bowen Loop, Cleveland, Texas 77328). And, once the evidence pointed to the notion/fact that the meter was installed for the Nothern Tract, then they switched their arguments to do that I am/was not a member and if I am/was entitled to service from Mercy. This shows, that when the evidence (no matter the source) stacks against them, then they are just going to keep changing the arguments for their defense. And, if there was any notion that I was not a member or entitled to service, then the Commission Staff would not have recommended twice for my service to be restored even temporarily and the ALJ would not have issued an order for temporary service or denied Mercy's request for reconsider. Also, if there was a problem with the fact that I have not filled out their Application and Agreement for Service or Transfer of Membership, then they would not have allowed for me to continue to get service under my deceased mother's membership/account for 5, almost 6 years, after her death with no complaints on it.

Second, Mercy is claiming that I have not filed the paperwork in a timely manner. How was I supposed to do that if I was being denied the ability to, in reference to the Transfer of Membership, or not being told about the paperwork, in reference to the Application and Agreement for Service. It would be like getting in trouble for not showing up in court for a ticket, when you never received the ticket or told of the court date.

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Third, during the Informal Complaint completed by the Consumer Protection Division of the Public Utility Commission of Texas and the proceedings of the Formal Complaint, Mercy has claimed that the membership of Reba Ivey was terminated, but no paperwork has been sent stating so. And, the check Mercy's office manager claimed was Reba Ivey's (my mother) membership fees was written to her and not myself, and the office manager refused to write a new check in my name. This means that Mercy still holds the membership fees, so by state law the membership is still open. A membership that Mercy claims was transferred to Mr. Rodz, despite the fact that the membership went to 1611 Bowen Loop, which means the transfer was outside of what is allowed by the TWC.

In essence, in my personal opinion, Mercy is just trying to legally cover their actions, since they have been informed that I plan to bring a suit against their corporation because of their actions that brought about this formal complaint. And, now that the Commission staff have had a chance to look at the evidence and are leaning towards the notion that the meter went with my property, they are just grasping at whatever straws they can to get the PUC to side with them. Since, the PUC finding in their favor would give them advantage in the civil case, while if the PUC does find Mercy in the wrong then it would give me the advantage. I am not going to lie about that. But, if the Commission Staff or the ALJ look at all of the documents filed, then they would see that all of my arguments are over the evidence presented by Mercy or based in the codes that they bring in their defense. The only thing that I have claimed that does not have concrete evidence was the verbal agreement between Mercy and myself, but that should be supported by the fact that they accepted payments for the past 5/6 years and that service was continued despite me informing them of her passing and having paperwork from the probate case for her estate. I have not tried to hide anything from the Public Utility Commission, nor would I have. But as I have stated to Commission Staff, it seems like me and my family/household are the ones being punished despite doing nothing wrong. And, I am not going to hide the fact that I did refuse to sign the Application and Agreement for Service sent to me by Mercy's Legal Representative. I refused on the grounds that with the current status of the complaint, it would not be within my best legal interest to do so. I believe this

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because there are clauses within the document that could make me legally liable for the cost of a membership and/or meter if there is not a letter from Mercy and/or an order from the ALJ stating that I could not be charged for the cost/fees. So, yes, I refused, but for reasons that are legally defensible. But, once there is a letter from their office manager, signed by their legal representative, and notarized stating I will not be charged, or an order from the ALJ stating the same, I will sign the paperwork and send it back the same day. And, if they send me a copy of a membership transfer, then I will gladly sign that and send it back. Both being on the condition stated.