

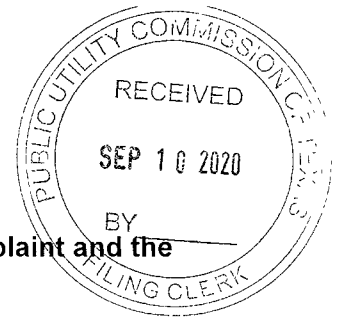


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Mercy Water Supply Corporation's Arguments from the Informal Complaint and the Evidence Debunking Them

In this writing, I (John Preston Blalock II), will lay out the arguments made by Mercy Water Supply Corporation during the Informal Complaint Investigation (Complaint Number: 2020080355) that took place before this current Formal Complaint Proceeding (Docket Number: 51224), which will probably be in the arsenal of defenses their legal representation will try to use. Where the information is pulled from will be included in (information).

1. Argument: Mercy Water Supply Corporation tried to argue that 1601 Bowen Loop, Cleveland, Texas 77328 was a part of Reba Ivey's (my grandmother's property) at the time of the water service meter being installed in 1995. (email from MWSC to puccomplaints @12:11 pm on 08/12/2020)
 - a. Rebuttal The deed filed with the application was a partition deed from around 1969, when my great-grandmother (or great-great-grandmother, can't remember which) passed away and the property was divided between my grandmother and her siblings, who my grandmother bought their parts except for Gloria Ann Meeks (my great-aunt). The aforementioned Gloria Ann Meeks, was the owner of the property that became 1601 Bowen Loop, Cleveland, Texas 77328 and had to sign a Right-Of-Way easement for the water service meter to be put in, which was filed with the San Jacinto County Clerk's Office in December of 1995. So, Mercy Water Supply Corporation would know by their own records that the properties were not under one deed at the time of the water service meter being installed. (Application for Service of Reba Ivey)
2. Argument: MWSC has also argued that my father, John Preston Blalock, has never come into their office to change the membership over to his name. (email from MWSC to puccomplaints @12:11 pm on 08/12/2020)
 - a. Rebuttal: My father has gone to their office on many occasions to switch the membership/account to his name. But, he was always told that because my grandmother's account had an owed balance he would not be able to transfer the membership. (personal testimony from John Preston Blalock)
3. Argument: MWSC stated in their email, that my father was issued a membership refund.
 - a. Rebuttal: The check they sent to our address was written to my deceased grandmother, which made it useless to us. And, when my father went to ask them to rewrite the check out in his name, the office manager wanted to be combative and refused to do it. (personal testimony from John Preston Blalock)
4. Argument: MWSC stated that we received a disconnect notice on 08/05/2020 and that my father went in and paid it.
 - a. Rebuttal: This is all true. But, they are trying to twist it. The disconnect notice was because we had a past due balance on the account, which my dad paid everything to where the account was at a zero balance, which MWSC has stated was what happened. This means that the 10 day notice was null and void, and

they would have to issue another if they were going to shut our water off for any reason. (receipts and MWSC records)

5. Argument: The easement/meter goes along with the land, so that the owner knows that the water company has an easement on the property.

- a. Rebuttal: The easement was so that water could be supplied to my grandmother's property at 1611 Bowen Loop, Cleveland, Texas 77328 , but had to be installed on my great-aunt's part of the property at 1601 Bowen Loop, Cleveland, Texas 77328. And, per the application the point at which the water meter was placed was at the choosing of the corporation. My great-aunt, Gloria Ann Meeks never had a membership with the corporation for 1601 Bowen Loop, so this argument goes against section 64.0016 of the Texas Water Code and the section of the Tariff for Mercy Water Supply Corporation that paraphrases that section of the code because the service/meter/membership goes with the parcel of land originally designated for service. And, in this case, that would be 1611 Bowen Loop, Cleveland, Texas 77328, formerly 154 Bowen Road, Cleveland, Texas 77328. And, according to MWSC's Tariff, new applicant's cannot interrupt/disrupt the service of new/old members, which MWSC allowed Mr. Rodz when they accepted his application and accepted his request to have the water shut off, despite the fact that the membership transfer did not follow the rules for a transfer according to the Texas Water code, since Mr. Rodz was not related to my grandmother and the property he acquired through a tax auction was not the one that the membership originally arose from. (Texas Water Code, Application for Service of Reba Ivey, and the Tariff for Mercy Water Supply Corporation)

So, no matter if we look at the Texas Water Codes or the rules set out in the Tariff for Mercy Water Supply Corporation, there is no legal standing for the actions taken by Mercy Water Supply Corporation. And, by lying to the PUC investigator during the informal complaint investigation, they have shown that they are not above taking actions that are on, if not over, the line of being illegal when it comes to protecting the idea that they have done nothing wrong and followed state/federal laws.