



## Filing Receipt

**Received - 2021-10-01 12:55:26 PM**

**Control Number - 51613**

**ItemNumber - 1064**

10/1/2021

Public Utility Commission  
Central Records  
Attn: Chris Burch, Director – Customer Protection  
1701 N. Congress Avenue, P.O Box 13326  
Austin, TX 78711-3326

RE: Request for Approval to Change Billing Method at Artesian on Westheimer S5883

Dear Mr. Burch:

Our company, Conservice LLC, serves as the utility billing provider for Artesian on Westheimer, upon whose behalf and authorization we send this letter. The purpose of this correspondence is to formally request that the Public Utility Commission of Texas (“PUC”) approve this property to transition from its registered status as submetered to allocated billing.

We understand that Texas Water Code section § 13.502 permits the owner to switch from submetered to allocated billing upon a showing of good cause and approval by the PUC. For the following reasons, we believe Artesian on Westheimer meets the good cause requirements outlined in the Code, and we respectfully ask the PUC to approve this request.

Recently, the submeter system has begun to malfunction, requiring that the property incurs the ongoing repair and replacement costs above and beyond normal wear and tear. Given the current state of the submetering system, the property will incur costs of \$4,073.00 to replace current broken equipment, and it is likely that further equipment failure will occur and need to be replaced and upgraded. Attached is the proposal for repair. The property does not anticipate having the capital resources required to make these and future repairs, and respectfully requests that they be allowed to bill tenants through allocative methods.

Should you require and additional information in making your determination please do not hesitate to contact me directly.

Sincerely,

Bret R. James  
Legal Counsel – Conservice  
750 South Gateway Drive  
River Heights, UT 84321  
435-750-5402  
bretjames@conservice.com

Property Code:

# CONSERVICE®

The Utility Experts™

ID #

Contact:

Date

PO Box 4647  
Logan, UT 84323  
Phone 855-737-7710 Fax 435-755-3759

## PROPOSAL FOR SERVICE

We are pleased to provide you with this Proposal For Service.  
We are committed to providing the very best quality and timely service.

### Community Information

Property Name   
Address   
City   
State   
Zip Code

Portfolio

### System Information

Meter Location   
Utility   
System Type   
Collector Location

Repeaters	15
Repeater Issues	2

Total UNITS	660
SUBMETERS	660
ISSUES	25
Operating Level	96%

### Parts Pricing as Required for Service

Item Type	Part number	Item Description	Qty	Each	Total
Water Meters	180402	5/8" x 3/4" NextCentury 1/10 Poly USG Cold (Horizontal)	16	\$42.00	\$672.00
Electronics	120414	RF- Repeater with 120/240 VAC wall transformer (6 ft. cord)	2	\$280.00	\$560.00
Electronics	120412	RF Transceiver - Pulse and Encoder- NextCentury	9	\$49.00	\$441.00

### Install / Repair Estimate

LABOR	<input type="text" value="13"/>	<input type="text" value="\$2,400.00"/>	LABOR
		<input type="text" value="\$1,673.00"/>	PARTS/MATERIALS LISTED ABOVE
		<input type="text" value="\$4,073.00"/>	TOTAL

Prices for parts, materials and labor are subject to change based on service needs, actual costs and/or warranty agreement. Sales tax will be included on the final invoice if applicable.

The property may be charged a \$45/hr service fee for over-the-phone technical assistance exceeding 30min.

We will continue to prepare estimated bills for these units. Please be advised that by not authorizing this service you may affect our ability to continue to bill these apartment homes and you may be in noncompliance with certain rules governing submetering in your state.

The Property will be responsible for any damage done to the equipment due to damage resulting from a preexisting condition in existing equipment. Prior to work being done, we request contact information for someone from your Property team and your preferred plumber. While we don't typically see leaks or damage, some older plumbing systems experience stress with any work being done and cracks, break, and other damage can occur when the water is restored after completing a project. If we notice a preexisting condition upon arrival, we will attempt to contact the provided Property contact. If you do not provide us with a contact or we are unable to reach the contact provided, we will perform the work when we arrive. In the event there is damage to the pipes due to age or a preexisting condition, we will reach out to your preferred plumber to request the work be done. Cost of the repair shall be the responsibility of the Property. If the damage was caused directly by the negligence or willful wrongful act of Conservice or its technicians and not due to a preexisting condition, Conservice shall take responsibility for payment of the repairs.

By signing below you are accepting the proposal as set forth above and agree to pay the prices described herein, as well as any applicable sales tax. You acknowledge that you are authorized to sign this proposal on behalf of your company.

Please email Conservice at [meters@conservice.com](mailto:meters@conservice.com), or FAX back to Fax 435-755-3759. Once received, we will contact you to schedule a service date. If we do not receive this approved PFR within 30 days, we will assume you do not want this service.

Accepted and Approved By:

\_\_\_\_\_  
Signature Date Print Name and Title

Cancellation Policy: Once work is approved and materials shipped, a technician will be scheduled. Once scheduling is confirmed by the property, Conservice must be notified at least two business days prior to service date via email at [meters@conservice.com](mailto:meters@conservice.com) if the visit needs to be rescheduled. If written cancellation is not received at least two business days in advance, the technician is refused onsite or if tenants are not noticed, the property will be charged a minimum of \$250 for related expenses.

**IMPORTANT: THIS FORM MUST BE RETURNED TO US WITHIN 30 DAYS IN ORDER FOR SERVICE TO BE PERFORMED**



# Registration of Submetered OR Allocated

## Utility Service S5883

NOTE: Please **DO NOT** include any person or protected information on this form (ex: tax identification #'s, social security #'s, etc.)

Date: \_\_\_\_\_  
By: Legal \_\_\_\_\_  
Docket No. \_\_\_\_\_  
(this number to be assigned by the PUC after your form is filed)

**PROPERTY OWNER:** Do not enter the name of the owner's contract manager, management company, or billing company.

Name	G&I IX Artesian JV LLC						
Mailing Address:	c/o DRA Advisors LLC, 220 E 42nd St, Floor 27	City	New York	State	NY	Zip	10017
Telephone# (AC)	(832) 379-9800	Fax # (if applicable)					
E-mail							

### NAME, ADDRESS, AND TYPE OF PROPERTY WHERE UTILITY SERVICE IS PROVIDED

Name	Artesian on Westheimer						
Mailing Address:	13099 Westheimer Road	City	Houston	State	TX	Zip	77077
Telephone# (AC)		Fax # (if applicable)					
E-mail	c/o legal@conservice.com						

<input checked="" type="checkbox"/>	Apartment Complex	<input type="checkbox"/>	Condominium	<input type="checkbox"/>	Manufactured Home Rental Community	<input type="checkbox"/>	Multiple-Use Facility
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If applicable, describe the "multiple-use facility" here:

### INFORMATION ON UTILITY SERVICE

Tenants are billed for	<input checked="" type="checkbox"/>	Water	<input checked="" type="checkbox"/>	Wastewater	<input type="checkbox"/>	Submetered <u>OR</u>	<input checked="" type="checkbox"/>	Allocated ★★ ★
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Name of utility providing water/wastewater City of Houston TX

Date submetered or allocated billing begins (or began) 11/01/2021 Required

### METHOD USED TO OFFSET CHARGES FOR COMMON AREAS Check one line only.

<input type="checkbox"/>	Not applicable, because	Bills are based on the tenant's actual submetered consumption
<input type="checkbox"/>	There are <u>neither</u> common areas <u>nor</u> an installed irrigation system	

All common areas and the irrigation system(s) are metered or submetered:

We deduct the actual utility charges for water and wastewater to these areas then allocate the remaining charges among our tenants.

This property has an installed irrigation system that is not separately metered or submetered:

We deduct  percent (we deduct at least 25 percent) of the utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.

This property has an installed irrigation system(s) that is/are separately metered or submetered:

We deduct the actual utility charges associated with the irrigation system(s), then deduct at least 5 percent of the utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.

This property does not have an installed irrigation system:

We deduct at least 5 percent of the retail public utility's total charges for water and wastewater consumption, and then allocate the remaining charges among our tenants.

### ★★★ IF UTILITY SERVICES ARE ALLOCATED, YOU MUST ALSO COMPLETE PAGE TWO OF THIS FORM ★★★

Send this form by mail with a total of (3) copies to:

Filing Clerk, Public Utility Commission of Texas

1701 North Congress Avenue

P.O. Box 13326

Austin, Texas 78711-3326

# METHOD USED TO ALLOCATE UTILITY CHARGES

Check the box or boxes that describe the allocation method used to bill tenants.

<input type="checkbox"/>	<b>Occupancy method:</b> The number of occupants in the tenant's dwelling unit is divided by the total number of occupants in all dwelling units at the beginning of the month for which bills are being rendered.
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<input checked="" type="checkbox"/>	<b>Ratio occupancy method:</b>		<b>Number of Occupants for Billing Purposes</b>
The number of occupants in the tenant's dwelling unit is adjusted as shown in the table to the right. This adjusted value is divided by the total of these values for all dwelling units occupied at the beginning of the retail public utility's billing period.		<b>Number of Occupants</b>	
		1	1.0
		2	1.6
		3	2.2
		>3	2.2 + 0.4 for each additional occupant

<input type="checkbox"/>	<b>Estimated occupancy method:</b>		<b>Number of Occupants for Billing Purposes</b>
The estimated occupancy for each unit is based on the number of bedrooms as shown in the table to the right. The estimated occupancy in the tenant's dwelling unit is divided by the total estimated occupancy in all dwelling units regardless of the actual number of occupants or occupied units.		<b>Number of Bedrooms</b>	
		0 (Efficiency)	1
		1	1.6
		2	2.8
		3	4.0
>3	4.0 + 1.2 for each additional bedroom		

<input type="checkbox"/>	<b>Occupancy and size of rental unit</b>	<input type="checkbox"/>	percent (in which no more than 50%) of the utility bill for water/wastewater consumption is allocated using the occupancy method checked above. The remainder is allocated according to either:
<ul style="list-style-type: none"> <li>• the size of the tenant's dwelling unit divided by the total size of all dwelling units, OR</li> <li>• the size of the space rented by the tenant of a manufactured home divided by the size of all rental spaces.</li> </ul>			

<input type="checkbox"/>	<b>Submetered hot water:</b>
The individually submetered hot water used in the tenant's dwelling unit is divided by all submetered hot water used in all dwelling units.	

<input type="checkbox"/>	<b>Submetered cold water is used to allocate charges for hot water provided through a central system:</b>
The individually submetered cold water used in the tenant's dwelling unit is divided by all submetered cold water used in all dwelling units.	

<input type="checkbox"/>	<b>As outlined in the condominium contract. Describe:</b>

<input type="checkbox"/>	<b>Size of manufactured home rental space:</b>
The size of the area rented by the tenant divided by the total area of all the size of rental spaces.	

<input type="checkbox"/>	<b>Size of the rented space in a multi-use facility:</b>
The square footage of the space rented by the tenant divided by the total square footage of all rental spaces.	