



Filing Receipt

Received - 2021-09-13 10:37:09 AM
Control Number - 51619
ItemNumber - 27

DOCKET NO. 51619

COMPLAINT OF JEFF CONNORS	§	PUBLIC UTILITY COMMISSION
AGAINST THE GALLERY	§	
APARTMENTS, ROSCOE PROPERTY	§	OF TEXAS
MANAGEMENT, AND CONSERVICE		

COMMISSION STAFF'S REQUEST FOR EXTENSION

I. BACKGROUND

On December 14, 2020, Jeff Connors (Complainant) filed a formal complaint against the Gallery Apartments (Apartment), Roscoe Property Management (RPM), and Conservice (together, Respondents) regarding billing practices for water services. This complaint was filed under 16 Texas Administrative Code (TAC) § 22.242. On January 19, 2021, Mr. Connors filed a Motion to Amend the Complaint. On February 3, 2021, RPM filed certain documents in response to the formal complaint. On February 3, 2021, Complainant filed a second Motion to Amend the Complaint. Complainant responded to RPM on February 9, 2021 and filed supplemental information on June 6, 2021.

On August 23, 2021, the administrative law judge (ALJ) filed Order No. 8, requiring Staff (Staff) of the Public Utility Commission (Commission) to file a supplemental statement of position and address whether a summary decision or default order would be appropriate by September 19, 2021. Therefore, this pleading is timely filed.

II. REQUEST FOR EXTENSION

Pursuant to 16 Texas Administrative Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. On June 3, 2021, Staff filed its first request for information (RFI) to the Apartment. On June 23, 2021, Staff filed a motion to compel the Apartment to respond to Staff's RFIs, which was granted by the ALJ on July 27, 2021. Staff notes that no response to the ALJ's order granting Staff's motion to compel or to Staff's RFIs has been filed. Staff has thus far been unsuccessful in its attempts to confer with a representative of Apartment.

On August 1, 2021, Staff filed its first request for information (RFI) to RPM. Staff was recently informed that RPM has secured legal representation in this matter. Staff has conferred with counsel for RPM and understands that RPM does intend to timely file a response to Staff's

RFIs, which are due on September 21, 2021 pursuant to TAC § 22.144(c). Once RPM's response to Staff's RFIs are filed, Staff will need time to review RPM's response to prepare its supplemental statement of position. Therefore, Staff respectfully requests that its deadline to file its supplemental statement of position be extended to October 4, 2021.

III. CONCLUSION

Staff respectfully requests an order extending Staff's deadline to file a supplemental statement of position regarding the complaint to October 4, 2021.

Dated: September 13, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

Rustin Tawater
Managing Attorney

/s/ Phillip Lehmann
Phillip Lehmann
State Bar No. 24100140
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7385
(512) 936-7268 (facsimile)
phillip.lehmann@puc.texas.gov

DOCKET NO. 51619

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 mail on September 13, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann