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DOCKET NO. 51619

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

COMMISSION STAFF'S LIST OF ISSUES

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 improper billing practices.¹ This complaint was filed under 16 Texas Administrative Code (TAC) § 22.242.

On March 17, 2022, the administrative law judge filed an order requiring the Respondents and Staff (Staff) of the Public Utility Commission (Commission) to file a list of issues to be addressed in this docket by March 31, 2022. Therefore, this pleading is timely filed.

I. PROPOSED LIST OF ISSUES

1. Did the Complainant comply with all the requirements for informal resolution pursuant to 16 TAC § 22.242(c)?
2. Did the Complainant meet all the requirements to bring his formal complaint under 16 TAC § 22.242(e)?
3. Does the Commission have jurisdiction over this complaint?
4. Who is the owner of the apartment complex as defined by 16 TAC § 24.275(c)(12) and Texas Water Code (TWC) § 13.501(5), that is responsible for compliance with the Commission rules applicable to this complaint?
 - a. For each assertion within the scope of TWC and Commission rules, who was the owner of the apartment complex during the time period of the possible violations?
5. For each asserted violation of the TWC and Commission rules, what was the relevant time period of each of the alleged violations?

¹ Complaint of Jeff Connors against The Gallery Apartments, Roscoe Property Management, and Conservice 1-69 (Dec. 14, 2020).

6. Did the Respondents comply with all the applicable requirements of 16 TAC § 24.281 with respect to its water and wastewater billing charges? If not, which provisions of 16 TAC § 24.281 did the owner violate?
7. Did the Respondents comply with all the applicable requirements of 16 TAC § 24.283 with respect to its water and wastewater billing charges? If not, which provisions of 16 TAC § 24.283 did the owner violate?
8. Did the Respondents comply with all the requirements of 16 TAC § 24.283 with respect to rendering bills to tenants? If not, which provision did the Respondents violate?
9. If the Complainant was overbilled, did the overbilling affect all tenants, requiring an adjustment to all tenants' bills in accordance with 16 TAC § 24.283(k)?
10. Did the Respondents comply with all the requirements of 16 TAC § 24.283 with respect to rendering bills to tenants? If not, which provision did the Respondents violate?
11. Did the Complainant dispute the bills at issue with the Respondents? If so, did the Respondents conduct a timely investigation of any bills disputed by the Complainant and report the results to him in accordance with 16 TAC § 24.283(l)?
12. If the Respondents did not comply with Commission Rules, what is the appropriate remedy?
13. If the Complainant has been billed improperly, is he owed a refund? If so, what is the amount of the refund owed?

II. ISSUES NOT TO BE ADDRESSED

Staff has not identified any issues that should not be addressed in this docket.

III. CONCLUSION

Staff respectfully requests that the Commission issue a Preliminary Order including the above issues to be addressed in this proceeding.

Dated: March 31, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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

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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 March 31, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann