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Received - 2022-03-31 03:13:47 PM
Control Number - 51619
ItemNumber - 46

DOCKET 51619

COMPLAINANT'S LIST OF ISSUES

3/31/22

DOCKET NO. 51619

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

COMPLAINANT’S PROPOSED LIST OF ISSUES

For the period of the complaint:

1. Did the Respondents violate PUC Substantive Rule §24.277 (e) by failing to provide water billing records within the prescribed response times on the numerous requests I made for that info prior to filing my Informal and then my Formal Complaint?
2. Did the Respondents violate PUC Substantive Rule §24.277 (e)(8) and (9) by never providing to me The Gallery II’s “*total amount billed to all tenants each month*” and “*total revenues collected from the tenants each month to pay for water and wastewater service*” on my requests for that information?
3. Did the Respondents violate PUC Rule §24.281(e)(2)(A)(iv) by using fraudulent numbers for total occupants in the formula used to calculate Gallery II residents’ bills?
4. Did the Respondents violate PUC Rule §24.281(e)(2)(A)(iv) by using fraudulent numbers for total occupied space in the formula used to calculate Gallery II residents’ bills?
5. Did the Respondents violate PUC Rule §24.283(b)(1) by not rendering Gallery’s residents’ allocated bills “*as promptly as possible after the owner receives the retail public utility bill*” thereby placing Gallery residents over a month and a half behind the City of Austin’s water and wastewater bills to the complex, which we remain to this day?
6. Did the Respondents violate PUC Rule §24.283(d)(1) by falsifying water and wastewater billing periods and dates on Gallery residents’ water and wastewater bills thereby not rendering bills “*for the same billing period as that of the retail public utility*”?

7. Did the Respondents violate PUC Rule §24.283(k) which in part states “*(i)f the overbilling or underbilling affects all tenants, an adjustment must be calculated for all of the tenants’ bills*” by not paying back all of the money they owe Gallery residents for overbilling them on their allocated water and wastewater bills?
8. Which of the Respondents was responsible for providing The Gallery II’s occupancy information to Conservice that Conservice used to calculate residents’ bills?
9. Was any proof provided to Conservice to substantiate those occupancy figures?
10. What calculations did Conservice actually do for The Gallery? Did they calculate how much each occupancy situation should be charged based on the occupancy information provided to them, in essence how much each 694 sq. ft. apartment with one occupant should be charged, each 694 sq. ft. apartment with two occupants should be charged, each 630 sq. ft. apartment with one occupant should be charged, each 630 sq. ft. apartment with two occupants should be charged, each 391 sq. ft. apartment with one occupant should be charged, each 391 sq. ft. apartment with two occupants should be charged, etc.?
11. After Conservice calculated the water billing info what did they do with it? Did they send it back to or was it made available to The Gallery for The Gallery to make out the residents’ monthly bills that Conservice later emailed out to residents?
12. Which of the Respondents was responsible for providing the billing periods of the water and wastewater bills that residents were billed for on their monthly bills?
13. Did Conservice use the email lists used to send Gallery’s residents their bills to confirm the earlier occupancy figures in any way? For instance, did Conservice check to see if the number of occupants they used earlier to calculate Gallery II resident’s bills was at least equal to, if not greater than, the number of bills they emailed out to Gallery II residents?
14. Did Conservice tally and check the total amounts billed out to Gallery II’s residents to ensure that they didn’t exceed the Gallery II’s residents’ overall financial responsibility for those bills?

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I will email frontdesk@roscoeproperties.com, Service@conservice.com, and liu@hooverslovacek.com to inform them of this submission to the docket.

Respectfully submitted,

Jeff Connors

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