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PUBLIC UTILITY COMMISSION  
JENNIFER GLENN

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

### MOTION TO AMEND THE COMPLAINT

#### Motion

I, Jeff Connors, the Complainant in this matter, respectfully requests that the Commission grant me permission to Amend my Complaint. If so ordered by the Commission, I request the Commission permit me five (5) working days or more to file the amended complaint from the day of the Commission's notice of their decision.

#### Facts and Background

On January 5<sup>th</sup> of this year, Courtney Gaines of Roscoe Property Management responded to my Informal Complaint on this matter (CP2020101118), which had been closed on 11/19/20 after The Gallery's management had not responded to it, and emailed Isabel Ford of the Customer Protection Division of the Public Utility Commission of Texas and myself their response as well as the following documents:

1. PUC Rules 24.281
2. Multi-family Public Water and Wastewater rates
3. Subchapter M
4. HIMBC Unit 2-239 (Conservice bills for me from October 2019 to January 2021 with full explanation of water and sewer charges with calculations and figures used to calculate my bill)
5. Gallery Phase II Bills (City of Austin monthly water bills (water, wastewater, and drainage billing) to The Gallery II from 10/16/19 to 12/16/20)

If the permission is granted by the Commission, I will amend my complaint by:

1. Submitting both the *HIMBC Unit 2-239* and *Gallery Phase II Bills* as evidence.
2. Adding an explanation of how these bills correlate and how the numbers provided for 'total number of occupants in the complex' and 'total occupied square footage' were often preposterously low on their own and in conjunction with each other were mathematically impossible at times considering that The Gallery II is a 104 unit apartment complex in a popular part of town, consists entirely of studio and one bedroom apartments, and is comprised of 28 studios of 391 sq. ft. each, 36 one bedrooms of 630 sq. ft. each, and 40 one bedrooms of 694 sq. ft. each. Note: Both the 'total number of occupants in the complex' and 'total occupied square footage' are divisors in the equations used to determine the residents' water bill so when they are inaccurate on the low side they lead to residents being overcharged.
3. Adding other remarks relevant to the new evidence.
4. Possibly revising and deleting text in my original complaint now that this new information has been made available to me.

If the Commission prefers that I simply append this new information on to the case by submitting only items 1, 2, and 3 above and leaving the original Formal Complaint intact and using it only as a reference in my amended complaint I can also do that instead. In and of themselves, in my opinion, these bills and a walk through on the numbers provided for 'total number of occupants in the complex' and 'total occupied square footage' used to calculate the water bills of the residents of The Gallery II prove my case that residents were overcharged.

In support of my motion I will mention that I have requested information concerning past water bills, information that I am entitled to under PUC Rules, from the management team of The Gallery five times now: once in late February 2020, three times from September to October, and once in mid-December. The Gallery management never gave me any information in regards to these requests, which was mentioned in my Formal Complaint. I also submitted proof of these requests as evidence in my Formal Complaint (email evidence of requests is on pages 51-61 and 68-69 of my Formal Complaint). This information should have been provided to me long before January 5<sup>th</sup> and would have been included in my original Formal Complaint if I had had it at that time. I'll also note that even now I haven't been provided all the water billing information that I have requested and am entitled to see, which includes the total amount billed to tenants each month for water/wastewater.

I have emailed a copy to: [frontdesk@roscoeproperties.com](mailto:frontdesk@roscoeproperties.com), [Service@conservice.com](mailto:Service@conservice.com), [jkat@conservice.com](mailto:jkat@conservice.com), [Courtney.gaines@rpmliving.com](mailto:Courtney.gaines@rpmliving.com), and [Cassandra.Davis@puc.texas.gov](mailto:Cassandra.Davis@puc.texas.gov).

Respectfully submitted,

Jeff Connors

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