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DOCKET NO. 51619
SOAH DOCKET NO. 473-22-2652

COMPLAINANT FOURTH REQUEST FOR INFORMATION TO
CONSERVICE

1/6/23

DOCKET NO. 51619
SOAH DOCKET NO. 473-22-2652

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

COMPLAINANT FOURTH REQUEST FOR INFORMATION TO CONSERVICE

Pursuant to 16 Texas Administration Code (TAC) § 22.144, Jeff Connors (Complainant) requests that Conservice by and through its attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Order Suspending Rules in Docket No. 50664.

Respectfully Submitted,

/s/Jeff Connors

Jeff Connors

Complainant

DEFINITIONS

1. "Conservice" or "you" refers to Conservice and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
2. "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond Conservice's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do not exist and these documents will be provided.
3. "Relating to" or "related to" or "involved" or "involving" shall mean in whole or in part consisting, defining, evidencing, containing, describing, concerning, discussing, embodying, reflecting, stating, referring to, dealing with, or in any way pertaining to.
- 4 "Complainant" shall mean Jeff Connors.
5. "Respondent" shall mean Conservice.
6. "You" or "Your" shall mean the named Respondent(s) or the Respondents' agents, servants, employees, representatives and all other persons acting on behalf of the Respondents.
7. "Premises" or "property" refers to the property located at 3506 Menchaca Road, Austin, Texas 78704, and includes the grounds, all buildings, fixtures, structures and substances.
8. "Designated Period" refers to October 2019 to May 2020, which was the period I was overcharged for water on my monthly rental bills.

9. “Us” shall mean Gallery II residents.

10. The term “**pdf pages**”, which I use in my footnotes, means the page number in the upper left-hand corner of the window when you pull up the document from the Docket; not the page numbers that are actually on the bottom of some of the documents.

11. When I refer to paragraphs in my footnotes, I count partial paragraphs as paragraphs. Therefore, the second paragraph on a page may actually be the first full paragraph on that page.


12. The colors of the rectangles, ovals, and circles I may refer to that highlight certain portions of this document may not actually show up as colors on the evidence in the Docket because sometimes they are transformed into greyscale once I submit my documents through the PUC Interchange.

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Complainant requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Complainant requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

BACKGROUND

Below is a copy of my December 2019 rental bill that Conservice sent me, which is found in Item 71 of the Docket on pdf page 75. It's an example rental bill I'll use to define the term "water service periods" and all of my rental bills that Conservice sent me were similarly constructed. In the middle column of the bill are the Service Periods of the charges on it. I have placed a purple rectangle around the heading and a green oval around the service period of my *Water 4* charge that I placed a hyphenated blue rectangle around. When I refer to "water service periods" the dates in the green oval are an example of what I'm referring to. Note that all of the other water related charges (*Water Base Charge 2*, *Drainage 5*, *Sewer Base 2*, and *Sewer 4*) on the bill have the same "water service periods".



Your utility statement due on **12/01/2019** is ready. A summary of your charges is below, for the account number ending in **2691**. To view the bill or see payment options, please click below.

We see that you have not logged in to our site. Before you can access your utility information, please click 'View Statement' and register your account using the pin: **7634**. To view the bill or see payment options, please click below.

Current Rent and Lease Charges

SERVICE TYPE	SERVICE PERIOD	CHARGES
Rent	12/01/2019 - 12/31/2019	\$1,050.00
Rent and Leasing Charges Due 12/01/2019		\$1,050.00

Current Utility Charges

SERVICE TYPE	SERVICE PERIOD	CHARGES
Water Base Charge 2	10/03/2019 - 10/29/2019	\$3.58
Drainage 5	10/03/2019 - 10/29/2019	\$12.53
Pest Control	12/01/2019 - 12/31/2019	\$5.00
Sewer Base 2	10/03/2019 - 10/29/2019	\$0.10
Sewer 4	10/03/2019 - 10/29/2019	\$11.90
Trash	12/01/2019 - 12/31/2019	\$9.00
Trash Admin Fee	Conservice is a service provider contracted to prepare monthly statements and provide residents with conservation resources.	\$3.00
Valet Trash	12/01/2019 - 12/31/2019	\$25.00
Water 4	10/03/2019 - 10/29/2019	\$13.31
Current Utility Charges due	the later of 16 days after the statement date listed above or 12/01/2019	\$83.40
Total Current Charges		\$1,133.40
Prior Balance		\$0.00
Grand Total Due		\$1,133.40

VIEW STATEMENT

QUESTIONS

A. The water bill calculations for Gallery II residents

Background: Conservice calculated my October 2019 to May 2020 monthly water and wastewater usage charges which were itemized as *Water 4* and *Sewage 4* in the monthly rental bills Conservice emailed me. This is the time period that my questions below pertain to. On other Gallery II residents' monthly rental bills, the number at the end of their water and wastewater usage charges may have been different, such as *Water 2*, *Water 3*, *Sewage 2*, or *Sewage 3*.

Please answer Questions A1 either and A2 'Yes' or 'No':

A1. When **Conservice** "created the full monthly rental bills for Gallery II residents"¹ did **Conservice** put the "water service periods" on them?

A2. Did **Roscoe Property Management** at The Gallery put the "water service periods" on the rental bills **Conservice** sent Gallery II residents?

B. Documentation requested:

B1. Copy of the City of Austin bill to The Gallery II that Conservice used to calculate my October 2019 water charges².

Note: As I established in my Written Testimony, the City of Austin bill to The Gallery II that was used to calculate my October 2019 water charges was not the 8/14/19-9/13/19 City of Austin water bill to The Gallery II³. Please reference page F-1, the last page in this submission, and note that the gallons in the blue rectangle should be 159,300 on the City of Austin water bill that I'm requesting instead of the 258,100 shown on the example bill and the TOTAL CURRENT CHARGES for Water Service on it should equal \$1,200.35 instead of the \$1,714.11 circled in red.

*

¹ Item 64 of the Docket on pdf page 5 on lines 22 to 25

² Item 71 on pdf page 61

³ Item 70 from pdf page 41 second paragraph to pdf page 43 third paragraph with evidence in Item 71 from pdf page 60 to pdf page 65

I will email frontdesk@roscoeproperties, stephanie.laird@rpmliving.com, jaime.hearn@rpmliving.com, jkat@conservice.com, edmunds@hooverslovacek.com, liu@hooverslovacek.com, and phillip.lehmann@puc.texas.gov to inform them of this submission to the docket.

Respectfully submitted,

Jeff Connors

3506 Menchaca Road

Apt. 239

Austin, TX 78704

(509)990-2154

jeffc_419@hotmail.com

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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 on January 6, 2023 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Jeff Connors

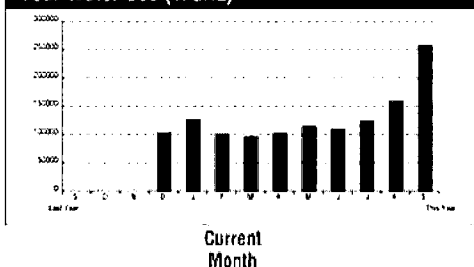
Jeff Connors

Complainant

APPENDIX F

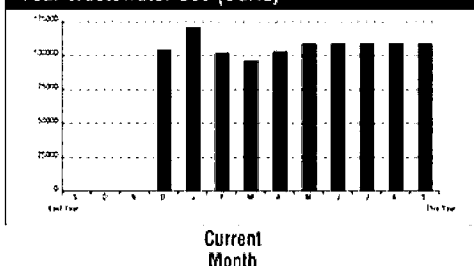
Service Details

Your Water Use (WGAL)



Days of service 30
 Gallons used 258100
 Avg. gallons per day 8603.3
 Avg. cost per day \$57.14
 10 month avg. consumption: 130000.00

Your Wastewater Use (SGAL)



Days of service 30
 Gallons used 108700
 Avg. gallons per day 3623.3
 Avg. cost per day \$33.24



WATER SERVICE

3506 MANCHACA RD, ZIP: 78704

Meter # 148462

Read Date	08/14/2019	09/13/2019	Consumption
Read	101228	103809	2581
	Reading Difference in Hundreds		2581
	Total Consumption in Gallons		258100

City of Austin Water - Multi-Family

Customer Charge \$75.10
 Fixed Charge \$292.00
 258,100 Gallons at \$5.00 per 1,000 - On Peak \$1,290.50
 258,100 Gallons at \$0.15 per 1,000 - Water Community Benefit Charge \$38.72
 258,100 Gallons at \$0.05 per 1,000 - Reserve Fund Surcharge \$12.91
 Private Hydrant Fee 2 @ \$2.44 ea \$4.88

TOTAL CURRENT CHARGES \$1,714.11



WASTEWATER SERVICE

3506 MANCHACA RD, ZIP: 78704

City of Austin Wastewater - Multi-Family

Customer Charge \$10.30
 108,700 Gallons at \$8.93 per 1,000 \$970.69
 108,700 Gallons at \$0.15 per 1,000 - WW Community Benefit Charge \$16.31

TOTAL CURRENT CHARGES \$997.30