



Control Number: 51870



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TO: Public Utility Commission of Texas

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FROM: Jennifer Rabidoux

PUBLIC UTILITY COMMISSION  
FILING CLERK

SUBJECT: Docket NO 51870

1. NOTICES

- a. On 16 April, the residents of Potranco Ranch received a letter informing us about the expansion of Forest Glen. According to the instructions there was 30 days to request an intervention. Over 80 residents responded to this notice.
2. On 10 May Forest Glen responded to the motion to intervene.
- b. On 20 May Commissioners staff made a referral to have a hearing based on the responses and requests for intervention.
- c. On 24 May Forest Glen responded to motion to intervene using the same text as the response on 10 May.
- d. On 1 June the ALG denied the referral based on Forest Glen's response on 10 May and 24 May.

2. RESPONSE TO NO STANDING

- a. According to the rules Potranco Ranch residents do not have standing because we don't live in the area that this expansion will provide service. With this logic no one would ever be able to request an intervention. The area is being developed so there are no current customers. That means they won't have a choice just like what happened to the residents of Potranco Ranch. We are Forest Glen's ONLY customers.

3. RESPONSE to NO JUSTIFICATION

- a. The letter that was sent to all of Forest Glen's customers only stated to request an intervention. That is why most of the residents just requested intervention without justification. They were just following the instructions. Our justifications would have been presented at the hearing.

4. REASON TO HAVE A HEARING

- a. In order to have standing to intervene in a proceeding, a person must have justiciable interest within the authority of the Commission which may be adversely affected by the outcome of the proceeding in front of the Commission. Forest Glen Utility is located in Potranco Ranch. We are a gated community with private streets that the residents have to maintain. In order to physically reach the plant an individual must have an access code for the gate and transverse private streets. Forest Glen was built to service Potranco Ranch. This is the reason why it was located in the community.
- b. The developer Mr. Harry Hausman and his partners bought Forest Glen and built the plant in its current location. At the time Potranco Ranch was projected to be a small community with 375 residents. In June 2017, Mr Hausman bought more land to be developed and requested Commission to expand the plant to allow for addition of 114 connections bringing the total to 489. At that time the residents of Potranco Ranch were not notified, and the request was approved. Since this was an expansion of Potranco Ranch subdivision most of the residents just accepted the developer's expansion. This new expansion of the plant will be for a neighboring subdivision Potranco Gardens/Oaks which is being developed by Harry Hausman. That is the reason why the request was made for an additional 388 residents. Other land around us has been developed but none of those have requested Forest Glen to provide sewage service. Harry Hausman is also in control of our HOA. If the residents of Potranco Ranch had control over their HOA this would not have been allowed to happen. Also, the county commissioners are also involved with Mr. Hausman so they approve the expansion without listening to the concerns of the tax payers in the community. This hearing was the only real chance to have those who are adversely affected by this expansion be heard and represented.
- c. Our concerns about noise and odor are not part of the commission's authority. The county will not enforce the noise ordinance and the odor has been reported on numerous occasions. Forest Glen is also aware of these complaints and has basically fell back on that they are a Public Utility which is separate from Potranco Ranch. We just have to live with this in our backyards because there is no legal recourse for us to rely on. For those that live by the plant our property values will be adversely affected. The footprint of the actual plant will triple in size from the initial plan. The plant is an "eye sore" that distracts from the peaceful outdoor life that residents should be allowed to enjoy. Potranco Ranch is a private community with half acre lots that boasts country living. Homes range from the mid \$400,000 to \$600,000. There is no other community in Texas that has this price range with a sewer plant in their subdivision.

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- d. The expansion of Forest Glen does adversely affect the residents of Potranco Ranch. Please allow our voices to be heard by reinstating the referral for a hearing.

A handwritten signature in black ink, appearing to read "Jennifer Rabidoux".

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