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PUC DOCKET NO. 52493

COMPLAINT OF BRAD WHITE § BEFORE THE
AGAINST ARLEDGE RIDGE § PUBLIC UTILITY COMMISSION
WATER SUPPLY CORPORATION § OF TEXAS

BRAD WHITE’S LIST OF ISSUES

Brad White files this List of Issues with the Public Utility Commission of Texas (Commission), and would show the following:

I. BACKGROUND

On July 8, 2021, Mr. White filed an informal complaint against Arledge Ridge with the Commission’s Consumer Protection Division (CPD) alleging Arledge Ridge refused to provide standard water service to his residence unless he first paid for extensive upgrades to the water system. CPD determined that Arledge Ridge must provide Mr. White residential water service and encouraged him to file a formal complaint against Arledge Ridge to force compliance. On September 1, 2021, Mr. White filed a Formal Complaint against Arledge Ridge under 16 Texas Administrative Code (TAC) § 22.242 reiterating his allegation that Arledge Ridge refused to provide standard water service to his residence unless he first paid the construction costs for water system upgrades. Arledge Ridge filed a timely Response to the Formal Complaint on October 4, 2021, responding to the allegations and requesting that the Commission dismiss Mr. White’s Formal Complaint. In the Response, Arledge Ridge stated that, because the line that would serve Mr. White’s property was at capacity, Mr. White’s request for standard residential water service would be treated as a non-standard request and, as such, Mr. White must complete a request for non-standard water service and pay for significant upgrades to the system (estimated to be approximately \$73,000) before it would provide him water service.

Mr. White believes that, as an applicant for a 3/4” sized water meter services for standard residential use that abuts existing pipelines, he is requesting standard service from Arledge Ridge under its tariff and Commission Rules. As such, he should be permitted to request water service under a standard request for service and pay the standard fees required by Arledge Ridge’s tariff. Arledge Ridge appears to have made its assessment about the type of service (standard or non-standard) based solely on the current limitations of the water system, not the parameters of Mr.

White's request. An application for non-standard service under Arledge Ridge's tariff requires significantly more cost-sharing by the applicant than a standard application, and Mr. White does not believe he should be required to pay the cost of system upgrades simply because the line that would serve him is allegedly at capacity. According to Arledge Ridge, any new request for water service on this line would be considered a request for non-standard service, regardless of the size of the meter or whether or not the service would place unique or unusual demands on the water system.

Further, even if Mr. White's request for service did qualify as a non-standard request, Mr. White believes that the cost-sharing Arledge Ridge has required is inconsistent with § 24.163(c) and (d) of the Commission's Rules and Arledge Ridge's tariff. Arledge Ridge does not appear to have filed a pipeline extension policy with the Commission nor does its tariff appear to delineate cost-sharing requirements in a consistent and nondiscriminatory manner.

II. BRAD WHITE'S LIST OF ISSUES

A. Type of Service Requested

1. What are Arledge Ridge's tariff provisions regarding new service?
2. How does Arledge Ridge determine whether a request for water service a standard or non-standard request? Is Arledge Ridge required to consider whether a request for residential water service is standard or non-standard based on the water usage requested in the application alone, or can it deem any request for water service a non-standard request when the line is at capacity?
3. Does Arledge Ridge's refusal to make an application for standard water service available to Mr. White constitute a denial of application for water service?

B. Cost-Sharing Issues

1. Does 16 TAC § 24.163(c)(1) prevent Arledge Ridge from requiring Mr. White to contribute in aid of construction if his request for residential water service does not place unique, non-standard service demands upon the system?
2. Has Arledge Ridge filed a pipeline extension policy with the Commission as required by 16 TAC § 24.163(c)?
 - a. If so, is the pipeline extension policy "consistent and nondiscriminatory" and does it prevent the retail water utility from requiring any service applicant to pay for construction except as provided for in the policy?
 - b. If so, does the pipeline extension policy and tariff comply with the cost-sharing provisions in the Commission's rule, particularly 16 TAC § 24.163(c)?

- c. If not, can Arledge Ridge pass on all or a portion of construction costs to a residential water service applicant?
- 3. Are the cost-sharing provisions in Arledge Ridge's tariff consistent with 16 TAC § 24.163(d)?
 - a. If so, is the estimate Arledge Ridge provided in its response consistent with the tariff and 16 TAC § 24.163(d)?
 - b. If not, can Arledge Ridge pass all or a portion of the contribution in aid of construction costs on to a residential water service applicant?

III. CONCLUSION

Mr. White requests that the Commission consider in this proceeding the issues identified above.

Dated: January 24, 2022


Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2022, notice of the filing of this document was provided to all parties of record in accordance with the Second Order Suspending Rules issued in Project No. 50664 and the Texas Rules of Civil Procedure, via electronic mail.



Carey Olney