



Filing Receipt

Received - 2021-12-01 10:34:22 AM
Control Number - 52679
ItemNumber - 5

DOCKET NO. 52679

COMPLAINT OF RICKY W. GASKILL § PUBLIC UTILITY COMMISSION
AGAINST UPTOWN HEIGHTS §
APARTMENTS § OF TEXAS

COMMISSION STAFF'S STATEMENT OF POSITION

On October 5, 2021, Ricky W. Gaskill (Complainant) filed a complaint against Uptown Heights Apartments (Uptown Heights) regarding water billing.¹ The Complainant filed the formal complaint pursuant to 16 Texas Administrative Code (TAC) § 22.242.

On November 4, 2021, the administrative law judge (ALJ) filed Order No. 2, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental statement of position by December 1, 2021. Therefore, this pleading is timely filed.

I. STATEMENT OF POSITION

Staff is unable to provide a statement of position at this time because Uptown Heights has not filed a response to the complaint. Staff recommends that Uptown Heights be ordered to file a response in compliance with Order No. 2.

II. REGISTERED AGENT FOR SERVICE

According to Uptown Heights' website, the property is operated by United Apartment Group. Further research from the Texas Secretary of State's (SOS) online database indicates that United Apartment Group is a registered agent of Forge Partners, LLC based in California. Forge Partners, LLC listed Tim Williams as its agent for service of process. The address listed for Tim Williams is P.O. Box 651 Rancho Santa Fe, CA 92067. Uptown Heights' Registration of Submetered or Allocated Utility Service indicates that Uptown Heights is owned by 2803 Woodbury Dr., LP.² According to the Texas SOS, the registered agent for service for 2803 Woodbury Dr., LP is Curtis Thigpen and the address listed is 1509 Old W. 38th Street, Suite 3

¹ Complaint of Ricky W. Gaskill Against Uptown Heights Apartments at 1 (Oct. 4, 2021) (Complaint).

² *Registration of Submetered or Allocated Utility Service for 2020, Project No. 50431, Uptown Heights' Registration (Jan. 13, 2020).*

Austin, TX 78731. Staff recommends keeping Mr. Williams and Mr. Thigpen on the service list for this docket. However, Staff recommends that the case not be restyled at this time.

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests the entry of an order directing Uptown Heights to file its response to the complaint as required by Order No. 2.

Dated: December 1, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

/s/ Andy Aus
Andy Aus
State Bar No. 24077782
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7292
(512) 936-7268 (facsimile)
andy.aus@puc.texas.gov

DOCKET NO. 52679

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 via electronic mail on December 1, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Andy Aus
Andy Aus