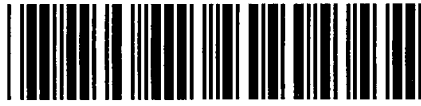




Control Number: 52942



Item Number: 51

#52942

2022 JAN 28 2:20

Michael J. Bailey
ASSOCIATE
bailey@hooverslovacek.com

HOOVER SLOVACEK LLP

A REGISTERED LIMITED LIABILITY
PARTNERSHIP
ATTORNEYS AT LAW
GALLERIA TOWER II
5051 WESTHEIMER, SUITE 1200
HOUSTON, TEXAS 77056
(713) 977-8686
FAX (713) 977-5395

REPLY TO:
P O BOX 4547
HOUSTON, TEXAS 77210

December 28, 2021

RECEIVED
JAN 05 2022
EXECUTIVE OFFICE

Via CMRR and First Class Mail

Mr. Toby Baker
Executive Director
Texas Commission on Environmental Quality
P.O Box 13087
Austin, TX 78711-3087

RE: Request by Abbey – Dominion Crossing (the “Owner”), TCEQ Registration No. S8123, the Owner of the Abbey at Dominion Crossing located at 21626 Stonewall Parkway, San Antonio, TX 78256 (the “Property”) to change from submetered to allocated water billing.

Dear Mr. Baker:

The undersigned attorney and law firm represent the Owner. The purpose of this letter is to request your approval for the Owner to change from submetered to allocated water billing.

The property is a 334 unit apartment community. The Owner has experienced significant problems with its submetering equipment. 124 of the 334 units in the apartment community are not reporting usage. This is an operating level of 62%.

The batteries powering the meters will fail which causes the meters to stop reading and reporting water usage without warning. Owner only finds out if there is an issue when the Pre-bill is sent from Conservice to the Property to approve resident billing.

A technician has been called to the Property to inspect the submeters and he submitted a proposal of service. It took the technicians over 60 days to respond to a request for service. Due to COVID-19 the submetering technician company expects repairs to take 60-120 days due to a back up in service calls. Meter replacement by a third party is estimated to cost at least \$13,817 which is not economically feasible. In order to maintain the economic viability of the Property, Owner needs to institute an allocated billing system.

Prior to the meter issues, Owner was able to recover between 92% and 97% for an average of 94.25% of the water and sewer expense. However, since the issues began, September’s water and sewer expense recovery was 75.27% and October’s water and sewer expense recovery was 81.47%. Therefore, the Owner has lost \$2,720.35 in just two months.

10 JAN 22 PM 3:52

Finally, due to the age of the submeters, the property will start experiencing ongoing issues and the expenses to maintain the submeters and loss of revenue will continue to persist.

In light of the foregoing, we request approval from your office to change from a submetered billing system to an allocated billing system. We appreciate your prompt consideration and response.

Very truly yours,

HOOVER SLOVACEK LLP

By: /s/ Michael Bailey
Michael J. Bailey
5051 Westheimer, Suite 1200
Houston, Texas 77056
Telephone: (713) 977-8686
Facsimile: (713) 977-5395
bailey@hooverslovacek.com

USPS CERTIFIED MAIL

Hoover Slovacek LLP
5051 Westheimer Rd Ste 1200
Houston, TX 77056



9214 8901 9403 8362 5145 44

MR. TOBY BAKER
EXECUTIVE DIRECTOR
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O BOX 13087
AUSTIN, TX 78711-3087