



## Filing Receipt

**Received - 2022-08-05 04:18:30 PM**  
**Control Number - 53811**  
**ItemNumber - 10**

# Arizona Traders Co.

1104 E. San Antonio Ave.

El Paso, TX 79901

P: 915-400-8636 F: 915-302-4360

[arizonatradersco@gmail.com](mailto:arizonatradersco@gmail.com)

August 02, 2022

Public Utility Commission of Texas  
Central Records  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, TX 78711-3326

DOCKET NO. 53811

Account Holder: John C. Gilliland (Arizona Traders Co.)

Servicing Address: 1104 E. San Antonio Ave.

El Paso, TX 79901

915-400-8636

Concerning recommendation No. 1 from Docket No. 53811 by the administrative law judge directing the staff of the Public Staff of the Public Utility Commission.

Arizona Traders was not notified before the water was turned off. The PUC's Know Your Rights ([texas.gov](http://texas.gov)) states:

## **Disconnection of Water and Sewer Service**

**Disconnection with Notice:** Prior to disconnecting your service, your water or sewer utility company must provide you with a separate written statement mailed or hand delivered. The disconnection date must be 10 days from the date the notice is issued unless a shorter time is authorized by the commission. The notice must include the intended date of disconnection, the total past due charges, all reconnect fees, and the company's office work hours and contact information.

Rules state that if notice has not been given 10 days prior to disconnection that water service must be reconnected.

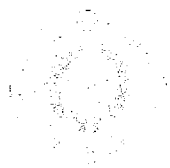
Attached with this letter will be a copy of the PUC's Know Your Rights webpage Disconnection of Water and Sewer Service (Highlighted), and a copy of Pg. 1 of 2 from Item No. 7 Docket No. 53811 in response to recommendation No. 1.

Sincerely,



John Gilliland

President of Arizona Traders Co.



## Know Your Rights

You may be unaware of the rights you have as a utility customer. But it's important that you understand these rights before filing a complaint with your electric, telecommunications, water and sewer utility service provider or the Public Utility Commission (PUC).

### Refusal of Service

PUC rules state that an electric or local telecommunications provider may refuse service for the following reasons:

- Hazardous or inadequate facilities or equipment
- Helping another customer avoid paying his/her bill by applying for service at a location where that customer already receives service
- Refusal to pay a deposit if you can't show satisfactory credit
- Failure to pay another utility for the same type of service you've requested
- Failure to pay the bill of another customer for whom you signed a written guarantee
- For electric, failure to comply with a Transmission and Distribution Service Provider (TDSP) tariff regarding operation of nonstandard equipment
- For water or sewer service, applicant's primary point of use is outside the certificated area
- For water or sewer service, equipment damage charges have not been paid for the specific property or lot on which service is being requested

Utilities may not refuse service for the following reasons:

- Previous occupant's failure to pay utility bill
- Failure to pay for non-regulated services, such as insurance policies or Internet service from your electric or telecommunications provider
- Failure to pay a bill for another utility's underbilling that occurred more than six months before the application date
- For water or sewer service, violation of the utility's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interferes with the service of others, unless the customer has been notified and been afforded reasonable opportunity to comply with rules
- For water or sewer service, failure to pay for the restoration of a tap removed by the utility at its option or removed as the result of tampering or delinquency in payment by a previous customer
- For water or sewer service, the service applicant or customer chooses to use a type of backflow prevention assembly approved under 30 TAC §290.44(h) (relating to Water Distribution) even if the assembly is not the one preferred by the utility
- For water or sewer service, failure to comply with regulations or rules for anything other than the type of utility service specifically requested including failure to comply with septic tank regulations or sewer hook-up requirements

If an electric, local telecommunications, water or sewer service provider refuses to serve you, the utility must tell you why. If you don't agree, you may file a complaint with the PUC.

### Disconnection of Electric Service

**Failure to Pay:** For customers who do not pay their electric bill by the due date, their Retail Electric Provider (REP) may request that the TDSP disconnect the electric service after the expiration of a required 10-day notice period.

**Disconnection with Notice:** Prior to disconnecting your service, your REP must provide you with a written Disconnection Notice. This notice must be mailed to you separately (or hand-delivered) no earlier than the first day after the date your bill is due or, if the REP has offered and the customer has agreed to receive disconnection notices from the REP by email, be a separate email with the words "disconnection notice" or similar language in the subject line. The disconnection date must be 10 days from the date the notice is issued and may not fall on a holiday or weekend (or the day preceding) unless the REP's personnel are available on those days to take payments or make payment arrangements and service can be reconnected. The PUC has provided that your REP may be allowed to authorize disconnection of your electric service for any of the reasons listed below:

- Failure to pay a bill owed to the REP or to make a deferred payment arrangement by the date of disconnection
- Failure to comply with the terms of a deferred payment arrangement or other payment agreement made with the REP
- Using service in a manner that interferes with the service of others or the operation of nonstandard equipment
- Failure to pay a deposit required by the REP
- Failure of a guarantor to pay the amount guaranteed when the REP has a written agreement, signed by the guarantor, which allows for disconnection of the guarantor's service

**Disconnection without Prior Notice:** Any REP or TDSP may, at any time, authorize disconnection of a customer's electric service without prior notice for any of the following reasons:

- Where a known dangerous condition exists for as long as the condition exists. Where reasonable, given the nature of the hazardous condition, the REP, or its agent, shall post a notice of disconnection and the reason for the disconnection at the place of common entry or upon the front door of each affected residential unit as soon as possible after service has been disconnected
- Where service is connected without authority by a person who has not made application for service
- Where service is reconnected without authority after disconnection for nonpayment
- Where there has been tampering with the equipment of the transmission and distribution utility, municipally-owned utility, or electric cooperative

- ## Disconnection of Telecommunication Service

Other new rules limit charges for deposits to no more than the cost of two months of local phone service and prohibit companies from including anticipated long distance charges as part of the deposit. Companies may ask for a separate long distance deposit, but may not require it as a condition for local phone service.

### Disconnection of Water and Sewer Service

After proper notice has been provided, your water or sewer utility company can disconnect your water and wastewater service for the reasons listed below:

- Payment by check which has been rejected for insufficient funds, closed account, or for which a stop payment order has been issued is not deemed to be payment to the utility
- Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others
- Operation of non-standard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation
- Failure to comply with deposit or guarantee arrangements where required by §24.84, relating to Service Applicant and Customer Deposits
- Failure to pay charges for sewer service provided by another retail public utility
- Failure to pay solid waste disposal fees collected under contract with a county or other public agency

[illegible]

**DOCKET NO. 53811**

<b>COMPLAINT OF ARIZONA</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>TRADERS COMPANY AGAINST EL</b>	<b>§</b>	
<b>PASO WATER UTILITIES PUBLIC</b>	<b>§</b>	<b>OF TEXAS</b>
<b>SERVICE BOARD</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION REGARDING RESTORING WATER SERVICE DURING THE PENDENCY OF THE PROCEEDING**

On July 11, 2022, John C. Gilliland (Mr. Gilliland), on behalf of Arizona Traders Company, filed a complaint against El Paso Water Utilities Public Service Board (El Paso Water) alleging wrongful disconnection of water service. The complaint was filed under 16 Texas Administrative Code (TAC) § 22.242.

On July 25, 2022, the administrative law judge (ALJ) filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation regarding the appropriateness of restoring water service to Arizona Traders Company during the pendency of this proceeding by August 1, 2022. Therefore, this pleading is timely filed.

**I. RECOMMENDATION REGARDING RESTORING WATER SERVICE DURING THE PENDENCY OF THE PROCEEDING**

At this time, Staff does not have adequate information to make a recommendation regarding the appropriateness of restoring water service to Arizona Traders Company. Staff requests that it be given the opportunity to make a supplemental recommendation after Staff has more information regarding the facts of this complaint.

**II. CONCLUSION**

Staff respectfully requests entry of an order consistent with this pleading.