



Filing Receipt

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Control Number - 54440

ItemNumber - 240

2/21/2023

Public Utility Commission
Central Records
Attn: Chris Burch, Director – Customer Protection
1701 N. Congress Avenue, P.O. Box 13326
Austin, TX 78711-3326

RE: Request for Approval to Change Billing Method at Midtown at Cedar Hill S7498

Dear Mr. Burch:

Our company, Conservice LLC, serves as the utility billing provider for Midtown at Cedar Hill, upon whose behalf and authorization we send this letter. The purpose of this correspondence is to formally request that the Public Utility Commission of Texas (“PUC”) approve this property to transition from its registered status as submetered to allocated billing.

We understand that Texas Water Code section § 13.502 permits the owner to switch from submetered to allocated billing upon a showing of good cause and approval by the PUC. For the following reasons, we believe Midtown at Cedar Hill meets the good cause requirements outlined in the Code, and we respectfully ask the PUC to approve this request.

Recently, the submeter system has begun to malfunction, requiring that the property incurs the ongoing repair and replacement costs above and beyond normal wear and tear. Given the current state of the submetering system, the property will incur prohibitive costs to replace current broken equipment, and it is likely that further equipment failure will occur and need to be replaced and upgraded. The property does not anticipate having the capital resources required to make these and future repairs, and respectfully requests that they be allowed to bill tenants through allocative methods.

Should you require and additional information in making your determination please do not hesitate to contact me directly.

Sincerely,

Bret R. James
Legal Counsel – Conservice
750 South Gateway Drive
River Heights, UT 84321
435-750-5402
bretjames@conservice.com



CY 2023 Registration of Submetered OR Allocated Utility Service

NOTE: Please **DO NOT** include any person or protected information on this form (ex: tax identification #'s, social security #'s, etc.)

Control Number: **54440**
 Registration No.: _____
 (this number to be assigned by the PUC after your form is filed)

PROPERTY OWNER: Do **not** enter the name of the owner's contract manager, management company, or billing company.

Name	BW Midtown Cedar Hill LLC						
Mailing Address:	365 Uptown Blvd	City	Cedar Hill	State	TX	Zip	75104
Telephone# (AC)	214-743-1000						
E-mail							

NAME, ADDRESS, AND TYPE OF PROPERTY WHERE UTILITY SERVICE IS PROVIDED

Name	Midtown at Cedar Hill						
Mailing Address:	365 Uptown Blvd	City	Cedar Hill	State	TX	Zip	75104
Telephone# (AC)	214-743-1000						
E-mail	c/o legal@conservice.com						

<input checked="" type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium	<input type="checkbox"/> Manufactured Home Rental Community	<input type="checkbox"/> Multiple-Use Facility
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If applicable, describe the "multiple-use facility" here:

INFORMATION ON UTILITY SERVICE

Tenants are billed for	<input checked="" type="checkbox"/>	Water	<input checked="" type="checkbox"/>	Wastewater		Submetered <u>OR</u>	<input checked="" type="checkbox"/>	Allocated ★★ ★
Name of utility providing water/wastewater		Cedar Hill - Utility Services TX						
Date submetered or allocated billing begins (or began)		01/01/2023			Required			

METHOD USED TO OFFSET CHARGES FOR COMMON AREAS Check one line only.

<input type="checkbox"/> Not applicable, because	Bills are based on the tenant's actual submetered consumption
<input type="checkbox"/>	There are neither common areas nor an installed irrigation system

All common areas and the irrigation system(s) are metered or submetered:

We deduct the actual utility charges for water and wastewater to these areas then allocate the remaining charges among our tenants.

This property has an installed irrigation system that is not separately metered or submetered:

We deduct percent (we deduct at least 25 percent) of the utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.

This property has an installed irrigation system(s) that is/are separately metered or submetered:

We deduct the actual utility charges associated with the irrigation system(s), then deduct at least 5 percent of the utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.

This property does not have an installed irrigation system:

We deduct at least 5 percent of the retail public utility's total charges for water and wastewater consumption, and then allocate the remaining charges among our tenants.

★★★IF UTILITY SERVICES ARE ALLOCATED, YOU MUST ALSO COMPLETE PAGE TWO OF THIS FORM ★★★

You can e-file this form online through the PUC Interchange Filer (<https://interchange.puc.texas.gov/filer>).

- You can find instructions for E-Filing at <https://www.puc.texas.gov/industry/filings/E-FilingInstructions.pdf>.

Or you may mail **one** copy to:
For USPS:

For all other delivery or courier services:

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

Public Utility Commission of Texas Central Records
1701 N. Congress Ave., 8-100
Austin, TX 78701

METHOD USED TO ALLOCATE UTILITY CHARGES

Check the box or boxes that describe the allocation method used to bill tenants.

1. Occupancy method: The number of occupants in the tenant's dwelling unit is divided by the total number of occupants in all dwelling units at the beginning of the month for which bills are being rendered.

<input type="checkbox"/> 2. Ratio occupancy method: The number of occupants in the tenant's dwelling unit is adjusted as shown in the table to the right. This adjusted value is divided by the total of these values for all dwelling units occupied at the beginning of the retail public utility's billing period.	Number of Occupants	Number of Occupants for Billing Purposes
	1	1.0
	2	1.6
	3	2.2
	>3	2.2 + 0.4 for each additional occupant

<input type="checkbox"/> 3. Estimated occupancy method: The estimated occupancy for each unit is based on the number of bedrooms as shown in the table to the right. The estimated occupancy in the tenant's dwelling unit is divided by the total estimated occupancy in all dwelling units regardless of the actual number of occupants or occupied units.	Number of Bedrooms	Number of Occupants for Billing Purposes
	0 (Efficiency)	1
	1	1.6
	2	2.8
	3	4.0
	>3	4.0 + 1.2 for each additional bedroom

For Box #4: if you check off with the % you will need to choose #1, #2, or # 3 from above as the remainder of no more than 50%.

4. Occupancy and size of rental unit percent (in which no more than 50%) of the utility bill for consumption is allocated using the occupancy method checked above. The remainder is allocated according to either:

- the size of the tenant's dwelling unit divided by the total size of all dwelling units, OR
- the size of the space rented by the tenant of a manufactured home divided by the size of all rental spaces.

Submetered hot water:
The individually submetered hot water used in the tenant's dwelling unit is divided by all submetered hot water used in all dwelling units.

Submetered cold water is used to allocate charges for hot water provided through a central system:
The individually submetered cold water used in the tenant's dwelling unit is divided by all submetered cold water used in all dwelling units.

As outlined in the condominium contract. Describe:

Size of manufactured home rental space:
The size of the area rented by the tenant divided by the total area of all the size of rental spaces.

Size of the rented space in a multi-use facility:
The square footage of the space rented by the tenant divided by the total square footage of all rental spaces.