



## **Filing Receipt**

**Filing Date - 2023-05-26 03:35:31 PM**

**Control Number - 54440**

**Item Number - 702**

5/26/2023

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 The Henry at Deerbrook S6042

Dear Mr. Burch:

Our company, Conservice LLC, serves as the utility billing provider for The Henry at Deerbrook, 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 The Henry at Deerbrook 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 costs of \$38,479.00 to replace current broken equipment, and it is likely that further equipment failure will occur and need to be replaced and upgraded. Attached is the proposal for repair. 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



# Estimate

## METERS

Conservice Metering Solutions  
PO Box 4647  
Logan UT 84323  
United States

EST8322

2/22/2023

### Bill To

The Henry at Deerbrook  
9494 Humble-Westfield Rd  
Humble TX 77338  
United States

### TOTAL

# \$38,479.00

### Expires

3/22/2023

### Job

66962-WO The Henry at Deerbrook

### Conservice Rep

Mallory Simmons (128141)

### Phone

(435) 264-8918

### Email

[msimmons1@conservice.com](mailto:msimmons1@conservice.com)

Quantity	Item	Rate	Amount
1	<b>120416 Gateway (GW4) with LTE/5G Cellular Modem-NextCentury</b> Gateway wth LTE/5G Cellular Modem- NextCentury	\$1,980.00	\$1,980.00
6	<b>120414 RF- Repeater (RE4) with 120/240 VAC wall transformer (6 ft. cord)- NextCentury</b> RF- Repeater with 120/240 VAC wall transformer (6 ft. cord)- NextCentury	\$360.00	\$2,160.00
135	<b>120412 RF-Transceiver TR4 Pulse/Encoder-NextCentury</b> RF-Transceiver TR4-NextCentury	\$67.00	\$9,045.00
135	<b>180402 3/4 NCSS 1:10 Poly M201C</b> 3/4 NCSS 1:10 Poly M201C	\$58.00	\$7,830.00
1	<b>120006 Ethernet Cable 25'</b> Ethernet Cable 25'	\$15.00	\$15.00
1	<b>120427 Universal 3rd Party Cable - NextCentury</b> Universal 3rd Party Cable - NextCentury	\$69.00	\$69.00
1	<b>200401 Monthly Cellular Charge</b> Monthly Cellular Charge	\$35.00	\$35.00
1	<b>Labor 1 Labor Hour One</b> First hour of Labor on project.	\$300.00	\$300.00
97	<b>Labor 2 Labor after 1st hour</b>	\$175.00	\$16,975.00
1	<b>SC-Region 1 Travel Surcharge-Region 1</b>	\$70.00	\$70.00

**IMPORTANT: THIS FORM MUST BE RETURNED TO US WITHIN 30 DAYS IN ORDER FOR SERVICE TO BE PERFORMED**



EST8322



# Estimate

## METERS

Conservice Metering Solutions  
PO Box 4647  
Logan UT 84323  
United States

EST8322

2/22/2023

**Subtotal** \$38,479.00

**Total** \$38,479.00

\*Tax total will be provided on final sales order.

Prices for parts, materials and labor are subject to change based on service needs, actual costs and/or warranty agreement. Sales tax will be included on the final invoice if applicable.

The property may be charged a \$45/hr service fee for over-the-phone technical assistance exceeding 30min.

We will continue to prepare estimated bills for these units. Please be advised that by not authorizing this service you may affect our ability to continue to bill these apartment homes and you may be in noncompliance with certain rules governing submetering in your state.

The Property will be responsible for any damage done to the equipment due to damage resulting from a preexisting condition in existing equipment. Prior to work being done, we request contact information for someone from your Property team and your preferred plumber. While we don't typically see leaks or damage, some older plumbing systems experience stress with any work being done and cracks, break, and other damage can occur when the water is restored after completing a project. If we notice a preexisting condition upon arrival, we will attempt to contact the provided Property contact. If you do not provide us with a contact or we are unable to reach the contact provided, we will perform the work when we arrive. In the event there is damage to the pipes due to age or a preexisting condition, we will reach out to your preferred plumber to request the work be done. Cost of the repair shall be the responsibility of the Property. If the damage was caused directly by the negligence or willful wrongful act of Conservice or its technicians and not due to a preexisting condition, Conservice shall take responsibility for payment of the repairs.

By signing below you are accepting the proposal as set forth above and agree to pay the prices described herein, as well as any applicable sales tax. You acknowledge that you are authorized to sign this proposal on behalf of your company.

**Please email Conservice at meters@conservice.com, or FAX back to Fax 435-755-3759. Once received, we will contact you to schedule a service date.**

*If we do not receive this approved PFR within 30 days, we will assume you do not want this service.*

Cancellation Policy: Once work is approved and materials shipped, a technician will be scheduled. Once scheduling is confirmed by the property, Conservice must be notified at least two business days prior to service date via email at meters@conservice.com if the visit needs to be rescheduled. If written cancellation is not received at least two business days in advance, the technician is refused onsite or if tenants are not noticed, the property will be charged a minimum of \$250 for related expenses.

**In the event that meters are behind the washer or dryer, the property must either move these units out of the way prior to the visit or provide staff to move them during the visit.**

**Accepted and Approved By:**

Signature

Date

Print Name and Title

**IMPORTANT: THIS FORM MUST BE RETURNED TO US WITHIN 30 DAYS IN ORDER FOR SERVICE TO BE PERFORMED**



EST8322



## 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	Momentum Deerbrook DE LLC						
Mailing Address:	9494 Humble-Westfield Rd	City	Humble	State	TX	Zip	77338
Telephone# (AC)	281-446-0055						
E-mail							

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

Name	The Henry at Deerbrook						
Mailing Address:	9494 Humble-Westfield Rd	City	Humble	State	TX	Zip	77338
Telephone# (AC)	281-446-0055						
E-mail	c/o legal@conservice.com						

Apartment Complex  
  Condominium  
  Manufactured Home Rental Community  
  Multiple-Use Facility

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		City of Houston TX						
Date submetered or allocated billing begins (or began)		04/01/2023			Required			

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

<input type="checkbox"/> Not applicable, because	<input type="checkbox"/> Bills are based on the tenant's actual submetered consumption
<input type="checkbox"/>	<input type="checkbox"/> There are <b>neither</b> common areas <b>nor</b> 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"/> <b>2. Ratio occupancy method:</b>  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.	<b>Number of Occupants</b>	<b>Number of Occupants for Billing Purposes</b>
	1	1.0
	2	1.6
	3	2.2
	>3	2.2 + 0.4 for each additional occupant

<input type="checkbox"/> <b>3. Estimated occupancy method:</b>  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.	<b>Number of Bedrooms</b>	<b>Number of Occupants for Billing Purposes</b>
	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**  50 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.