



Filing Receipt

Filing Date - 2023-07-10 02:35:33 PM

Control Number - 54440

Item Number - 860

July 10, 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 Bennett Baytown S5864

Dear Mr. Burch:

Our company, Conservice LLC, serves as the utility billing provider for The Bennett Baytown, 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 Bennett Baytown 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 \$4,233.00 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

EST11663

6/15/2023

Bill To

The Bennett Baytown
2200 W Baker Rd
Baytown TX 77521
United States

TOTAL

\$4,233.00

Expires

7/15/2023

Job

76187-WO The Bennett Baytown

Conservice Rep

Elena Grudnitskaya (133880)

Phone

(435) 792-6644

Email

egrudnitskaya@conservice.com

Quantity	Item	Rate	Amount
2	120310 Transmitter EN1501 ESPMT3VBatt	\$89.00	\$178.00
22	180713 SM 15 Meter 5/8 x 3/4 w probe	\$80.00	\$1,760.00
1	Labor 1 First hour of Labor on project.	\$300.00	\$300.00
11	Labor 2	\$175.00	\$1,925.00
1	SC-Region 1	\$70.00	\$70.00
Subtotal			\$4,233.00
Total			\$4,233.00

*Tax total will be provided on final sales order.

This is an estimate, please **DO NOT PAY. Invoice will be sent after work order is completed.

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



EST11663



Estimate

METERS

Conservice Metering Solutions
PO Box 4647
Logan UT 84323
United States

EST11663

6/15/2023

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



EST11663



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	FFP Baytown, LLC						
Mailing Address:	2200 W Baker Rd	City	Baytown	State	TX	Zip	77521
Telephone# (AC)	281-420-5955						
E-mail							

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

Name	The Bennett Baytown						
Mailing Address:	2200 W Baker Rd	City	Baytown	State	TX	Zip	77521
Telephone# (AC)	281-420-5955						
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		City of Baytown						
Date submetered or allocated billing begins (or began)		07/01/2023			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.

<input type="checkbox"/>	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.
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<input checked="" 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: <ul style="list-style-type: none"> • 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.
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<input type="checkbox"/>	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.
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<input type="checkbox"/>	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.
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<input type="checkbox"/>	As outlined in the condominium contract. Describe: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
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<input type="checkbox"/>	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.
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<input type="checkbox"/>	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.
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