



## **Filing Receipt**

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Public Utility Commission of Texas

Docket No. 54617

SOAH Docket No. 473-24-13127

Central Records

16 August 2024

P.O. Box 13326

Austin, TX 78711-3326

Subject: Intervenor Initial Brief

TO WHOM IT MAY CONCERN

## I. INTRODUCTION

On July 23, 2024, the administrative law judge (ALJ) ordered to submit all Initial Brief by August 9, 2024. On August 12, 2024 the Intervenor requested an extension to August 16, 2024. Per the instructions provided by the State Office of Administrative Hearings (SOAH) administrative law judge (ALJ) after the extension approval, the deadline for intervenors to file initial briefs is August 16, 2024. Therefore, this brief is timely filed.

## II. ARGUMENT

Just and Reasonable and Public Interest are at stake in this Sale, Transfer, or Merger (STM) docket. This STM is not a Rate Change application. It requires a ruling as to Just and Reasonable and Public Interest on this STM.

PUC stand on this matter is disheartening and our hopes for being heard is diminished. Any increase on the existing rates is a hardship for us consumers in this area. Programs mentioned

by TWU are mostly based of the poverty index and we are just above that.

Having the 2<sup>nd</sup> largest Water and Sewer Utility (TWU) (Investor Owned Utility) take us over is not in the Public Interest. TWU, it is my strong believe, and their justifications and view of entitlement reflects that this is only for revenue. The SHDI testimony from Mr. Sullivan shows that SHDI did bring in revenue. The only difference between SHDI and TWU is that TWU is the 2<sup>nd</sup> largest utility with the 2<sup>nd</sup> largest staff (with their own Director of Rates and Regulatory Affairs Mr. Bahr with influence on Government Laws as stated in his testimony). With a revenue requirement of over \$34 million, as stated in their Tariff docket No. 50944, and a projected additional revenue from us of approx. \$470,000 justifying public interest, just and reasonable is a stretch. During the hearing, on July 23, 2024, Mr. Faulk stated that SHDI is a very small utility. A approx. half of a million is not much for them but it is for us. The use of TWU, by the PUC, to assist with failing utilities, appears to represent a conflict of interest and can be used as a way to a monopoly. All Texas consumers with the same tariff no matter where you live.

Currently, I conserve water and use approx. 2000 gallons. Without taxes I pay approx. \$32.20 and will be forced to pay \$61.33 without any change in service, water quality etc. 5000 gallons from \$41.74 to \$85.27. 10000 gallons from \$57.64 to \$126.24. Water still will be pumped and distributed without any change. We live in mobile homes for a reason. Affordability. We live in Liberty County for a reason. Affordability. We have properties with more than one family on them for a reason. Affordability. We have Aerobic sewer systems. Putting our water right back into the ground. No big mansions. No inground pools. No manicured lawns and irrigation. For one reason. Affordability. And no money for legal representation. Placing the lower income on the same level as the affluent with this tariff is not in the public interest. Public Interest is in question with this STM and all of this should be taken into consideration.

TWU justification of their tariff to help with conservation of water is misleading. The affluent will not give up their way of life, but we will have to. Having to decide between water or house/car payments and all our other bills.

TWU mentioning of dockets for GURA and other Rate Change cases but never a water STM case lets me believe that this is the first docket what has been contested this way. If TWU will be granted this STM, with their initial rates (possible 100% increases), it will set the precedence for all future STMs. This will bring hardship to many consumers and is not in the public interest.

All laws on this matter from Determination of Public Interest, Commission Action to Protect Public Interest, Set Rate, Water and Sewer Utility rates After Acquisition and so on are all created for one reason "to protect the consumer from big firm take over, unjust and unreasonable rates, and to prevent a monopoly. Keeping the free market alive.

With no compromise in sight. I believe that TWU is not consumer oriented, in contrast to their testimony, but we are. These are not only opinions or beliefs but also facts reflected through out this docket.

### III. CONCLUSION

For the reasons detailed above, my position is that TWU should not be allowed to force their exorbitant initial rates onto the Southern Crossing, Southern Oak, and Southern Forest consumers. The proposed Phase-in will still have the same result and only delay the unjust and unreasonable price increase and is not in the public interest. I respectfully request that we, the consumers, can remain with our existing rates.

Respectfully submitted,

Anna Miller

Intervenor