



## Filing Receipt

**Received - 2023-03-24 01:51:05 PM**

**Control Number - 54666**

**ItemNumber - 6**

**DOCKET NO. 54666**

<b>EVELYN DANGERFIELD’S APPEAL</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>OF THE COST OF OBTAINING</b>	<b>§</b>	
<b>SERVICE FROM HIGH POINT</b>	<b>§</b>	<b>OF TEXAS</b>
<b>SPECIAL UTILITY DISTRICT</b>	<b>§</b>	

**COMMISSION STAFF’S RESPONSE TO ORDER NO. 2**

**I. INTRODUCTION**

On February 17, 2023, Evelyn Dangerfield (Ms. Dangerfield) filed with the Public Utility Commission of Texas (Commission) an appeal of the cost of obtaining service from High Point Special Utility District (High Point SUD) under Texas Water Code (TWC) § 13.043(g) and 16 Texas Administrative Code (TAC) § 24.101(g).

On March 21, 2023, the administrative law judge (ALJ) filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a copy of the informal complaint into the record of this proceeding by March 24, 2023. Therefore, this pleading is timely filed.

**II. INFORMAL COMPLAINT**

Staff has attached a copy of Ms. Dangerfield’s informal complaint, Complaint No. CP2023030578, to this pleading.

**III. CONCLUSION**

Staff respectfully requests the ALJ take note of the informal complaint attached to this pleading.

Dated: March 24, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Interim Division Director

Sneha Patel  
Managing Attorney

/s/ Bradley Reynolds  
Bradley Reynolds  
State Bar No. 24125839  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7307  
(512) 936-7268 (Fax)  
Brad.Reynolds@puc.texas.gov

**DOCKET NO. 54666**

**CERTIFICATE OF SERVICE**

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on March 24, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Bradley Reynolds  
Bradley Reynolds

MS EVELYN DANGERFIELD  
PO BOX 497712  
GARLAND TX 75149

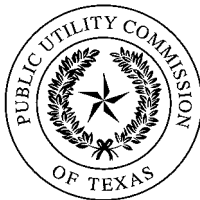
**Peter M. Lake**  
Chairman

**Will McAdams**  
Commissioner

**Lori Cobos**  
Commissioner

**Jimmy Glotfelty**  
Commissioner

**Kathleen Jackson**  
Commissioner



**Greg Abbott**  
Governor

**Thomas J. Gleeson**  
Executive Director

## *Public Utility Commission of Texas*

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3/16/2023

Ms Evelyn Dangerfield  
PO Box 497712  
Garland TX 75149

Dear Ms Dangerfield:

The Customer Protection Division of the Public Utility Commission of Texas received your concerns regarding your utility service from HIGH POINT WSCSC. Please know that the Commission has limited jurisdiction over water supply corporations and utility districts, and it does not include the regulation of the following: the rates charged to customers, amount of usage billed, approval of drought contingency plans, and the quality of the water or sewer service.

We regret to inform you that we are unable to investigate your concerns because your complaint is for one or more of the items listed above. However, your elected board of directors has authority over the rates and business practices of HIGH POINT WSCSC, and we recommend contacting the board for assistance with your dispute. Additionally, the Texas Commission on Environmental Quality (TCEQ) may be able to assist you if your complaint involves drought contingency plans or quality of your retail water or sewer service. You may contact TCEQ at the following:

Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-308  
Toll-free telephone number: 1-888-777-3186  
Website: <http://www.tceq.texas.gov>

The Commission does have appellate jurisdiction over rate changes affecting certain customers. Please find our attached Utili-facts sheet regarding our appellate jurisdiction. We trust that you will find the information helpful.

Sincerely,

Customer Protection Division  
Public Utility Commission of Texas

Attachment



# UTILI-FACTS

## PUC Jurisdiction over Retail Public Utility Rates and Service Policies

The tables in this publication summarize the Public Utility Commission of Texas' (PUC) jurisdiction over the rates charged for potable water or sewer service, areas served, and the customer service policies followed by retail public utilities owned by cities, counties, districts, water supply or sewer service corporations, and investors. For definitions of the terms and abbreviations used in this publication, look on page 2.

What jurisdiction does PUC have over retail rates charged by a water or sewer retail public utility?

If the retail public is owned by a(n) ...		What type of jurisdiction does the PUC have over retail rates? <i>Note: the PUC also has appellate jurisdiction over wholesale rates charged by one retail public utility to another.</i>		Is customer notice of a retail rate change required?
		Original <sup>1</sup>	Appellate <sup>2</sup>	
City	with customers inside city limits	No	No	No
	with customers outside city limits	No	Yes, if 10% or 10,000 (whichever is less) of customers outside the city limits protest OR if a city that receives services from an Investor-Owned Utility (IOU) protests OR if an IOU that provides service to a city, appeals the city's denial of their rate increase	Yes*
County (other than an 'affected county')		No	No	No
Affected County (within 50 miles of the US-Mexico border)		No	Yes, if 10% or 10,000 (whichever is less) of customers protest	Yes*
District	with customers inside the district	No	Yes, if 10% or 10,000 (whichever is less) of customers protest	No
	with customers outside district	No	Yes, if 10% or 10,000 (whichever is less) of customers protest	Yes*
Water Supply Corporation (WSC)		No	Yes, if 10% of customers protest	No
Exempt WSC		No	No	No
Exempt IOU		No	Yes, if 50% of customers protest	No
Investor-Owned Utility (IOU)	Inside a city	No	Yes, if 10% or 10,000 (whichever is less) of customers protest OR if a party to a rate case before the city files an appeal of the city's decision	Yes*
	Outside a city	Yes	Not applicable	Yes*

\*The notice must include the old rates, the new rates, and the date the new rates take effect. The PUC recommends that customers be informed of their right to appeal.

<sup>1</sup>Texas Water Code, Section 13.041

<sup>2</sup> Texas Water Code, Section 13.043

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### When must retail public utilities obtain a CCN and observe PUC tariff and service policies?

If a retail public utility is owned by a(n)...		Is a CCN required?	Do PUC Tariff and Customer Service Policies apply?
City		No	No
Affected County	within 50 miles of the US-Mexico border	Yes	Yes
	elsewhere in Texas	No	No
District		No	No
WSC		Yes	No, but must file tariff with PUC
Exempt WSC		No	No, but must file tariff with PUC
Inside a city		Yes	Yes, if city does not adopt its own
Outside a city		Yes	Yes
Exempt IOU		No	Yes

#### Terms used in this publication:

**Affected County.** Counties within 50 miles of the US- Mexico border. Chapter 13 of the Texas Water Code gives these counties specific authority to provide water or sewer utility service.

**Appellate Jurisdiction.** Circumstances where the PUC has the authority to review and either approve or modify the decision of another authority after receiving an appeal from affected customers or parties.

**Certificate of Convenience and Necessity (CCN).** Issued by the PUC. Authorizes a retail public utility to provide water or sewer utility service to a specific area and obligates the retail public utility to provide continuous and adequate service to every qualified applicant who requests service in that area.

**District.** A "district" is created by the Legislature or under the Texas Water Code. There are various types, such as MUD (municipal utility district), FWSD (fresh water supply district), WCID (water control and improvement district), or SUD (special utility district).

**Exempt IOU or Exempt WSC.** A water utility or water supply corporation with fewer than 15 potential service connections. The exemption (from the requirement to obtain a CCN) does not apply to sewer utilities.

**IOU, Investor-Owned Utility.** A retail public utility owned by an individual, partnership, corporation, or homeowners' association.

**Original Jurisdiction.** Circumstances where the PUC has the authority to review and approve or modify the rates charged by an individual or corporation for water or sewer services.

**Potable Water.** Water that meets state standards for drinking water, whether consumed or not.

**Retail Public Utility.** Any person, corporation, public utility,

water supply or sewer service corporation, municipality, political subdivision, or agency operating, maintaining, or controlling in this state facilities for providing potable water service or sewer service, or both, for compensation.

**Retail water or sewer utility service.** Potable water service or sewer service, or both, provided by a retail public utility to the ultimate consumer for compensation.

**Tariff.** A document listing the rates charged by and related service policies practiced by a utility providing retail service.

**WSC-Water Supply Corporation.** A nonprofit water supply or sewer service corporation owned and controlled by its members.

**Wholesale Utility.** A retail public utility that sells potable water service or sewer service to a retail public utility that is not the ultimate consumer of the service.

#### How to learn more:

- See [Chapter 13 of the Texas Water Code](#), titled Water Rates and Services.
- See the PUCT's rules in [Title 16, Texas Administrative Code, Chapter 24](#).
- Contact the PUCT's Water Utility Regulation Division by phone at: (512) 936-7405 or by email at [water@puc.texas.gov](mailto:water@puc.texas.gov). You may also visit the PUCT's website at [www.puc.texas.gov](http://www.puc.texas.gov).



#### QUESTIONS:

**Call:** 512-936-7405

#### Write:

Public Utility Commission  
of Texas  
Water Utility Regulation  
Division  
1701 N. Congress Ave.  
P.O. Box 13326,  
Austin, TX 78711-3326

PUCTX Online Complaint CP2023030578

Public Utility Commission of Texas  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, TX 78711-3326  
(888) 782-8477  
www.puc.texas.gov

Water Complaint Form

Date: 3/15/2023 10:05:17 AM  
Complaint Number: CP2023030578  
Account Holder: Evelyn Dangerfield  
Alternate Contact:  
Email Address: Laydered1@gmail.com

Service Address:  
Address 1: 15399 Armstrong Rd  
Address 2:  
City: Terrell  
State: TX  
Zip: 75160  
County: Kaufman

Mailing Address:  
Address 1: PO Box 497712  
Address 2:  
City: Garland  
State: TX  
Zip: 75149

Day Phone: (832) 851-5641  
Evening Phone:

Complaint Against: Highpoint SUD  
Service Phone:

Account Number: 104856

Complaint Note: Water bill Acct# 104856 over 5 times more than electric bill with NO prior notice (before new service started) that there would be a non refundable (until service permanently ended) deposit of \$240 not allowing a letter of credit instead as the electric providers Do NOT allow a return of the deposit after a set time of on time payments... in addition NO prior notice was given about a required \$50 charge for an inspection fee for new service customers... requesting information on state agencies that regulate these areas and want all ancillary charges (NOT fully disclosed UPFRONT with appeals process etc) credited back to me since these charges were already paid as part of the initial bill in order to maintain service for this essential utility (WATER).

Attachments:  
CP2023030578.txt

From: noreply@puc.texas.gov

Sent: 3/15/2023 10:05:17 AM

To: Laydered1@gmail.com

Subject: [Complaint No:CP2023030578] - Evelyn Dangerfield

<p>Dear Utility Customer:</p>

<p>The Customer Protection Division (CPD) of the Public Utility Commission of Texas received your informal complaint and will begin an investigation of your concerns. In accordance with Commission Rules, we will provide the company notice of our investigation and require a response to the complaint within

15 days. At the conclusion of CPD's investigation, we will send you a letter describing our findings along with any recommendations for the company.</p><p>If you have any additional information or documentation

that supports your complaint, you may contact us at (888) 782-8477 or by email to <a

href="mailto:customer@puc.texas.gov">customer@puc.texas.gov</a> as soon as possible so the information can be included in our investigation. Please also contact us if you have any questions or concerns about the investigation.</p>

<p>Thank you,</p><p>Customer Protection Division<br>Public Utility Commission of Texas</p>

Attachments: CP2023030578.txt

MS EVELYN DANGERFIELD  
PO BOX 497712  
GARLAND TX 75149

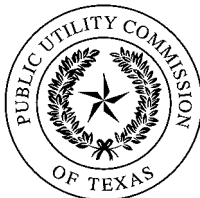
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Water Utility Regulation  
Division  
1701 N. Congress Ave.  
P.O. Box 13326,  
Austin, TX 78711-3326

From: ccr@puc.texas.gov  
Sent: 03/16/2023 11:43 AM  
To: Laydered1@gmail.com  
Subject: [Complaint No:CP2023030578] - Evelyn Dangerfield

Attachments: image001.png,CP2023030578\_2303011482.doc

Dear Ms. Dangerfield,

Please find the attached letter regarding your informal complaint filed with the Public Utility Commission of Texas. If you have any questions please contact us via email at [customer@puc.texas.gov](mailto:customer@puc.texas.gov) or toll-free at 1-888-782-8477.

Thank you,

Customer Protection Division

Public Utility Commission of Texas

P.O. Box 13326

Austin, TX 78711-3326

Toll-Free: (888) 782-8477 | Fax: (512) 936-7003

Recipients:Laydered1@gmail.com

Attachments:image001.png  
CP2023030578\_2303011482.doc