



## **Filing Receipt**

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**Item Number - 4**

**DOCKET NO. 55635**

**COMPLAINT OF ERIC ELLIS  
AGAINST WESTLAKE GARDEN  
APARTMENTS**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
WESTLAKE GARDEN APARTMENTS  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-9**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144 of the Commission's Procedural Rules, the Staff (Staff) of the Public Utility Commission of Texas (Commission) requests that Westlake Garden Apartments, by and through its representative of record, provide the following information and answer the following questions under oath. The questions shall be answered in sufficient detail to fully present all the relevant facts, within the time limit provided by the Presiding Officer or within 20 days if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Second Order Suspending Rules in Project No. 50664.

Dated: November 1, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Division Director

/s/ Jena R. Abel  
Jena R. Abel  
Board Certified – Administrative Law –  
Texas Board of Legal Specialization  
State Bar No. 24036103  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7325  
(512) 936-7268 (facsimile)  
jena.abel@puc.texas.gov

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**CERTIFICATE OF SERVICE**

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 1, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Jena R. Abel  
Jena R. Abel

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
WESTLAKE GARDEN APARTMENTS  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-9**

**DEFINITIONS**

- 1) "Westlake Garden Apartments" or "you" refers to Westlake Garden Apartments and any person acting or purporting to act on its behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond your control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist, and these documents will be provided.

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
WESTLAKE GARDEN APARTMENTS  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-9**

**INSTRUCTIONS**

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
WESTLAKE GARDEN APARTMENTS  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-9**

- Staff 1-1** Please identify the start and end dates of all leases entered into between the Complainant and Westlake Garden Apartments.
- Staff 1-2** Please provide a complete copy of the leases, including all addendum and attachments, you identify in response to Staff 1-1.
- Staff 1-3** Please provide a copy of all correspondence between you and the Complainant regarding the subject of this complaint docket, including any documents provided by Westlake Garden Apartments regarding a description of the allocation methods used by Westlake Garden Apartments to calculate tenants' water and wastewater bills for the time period(s) of the leases identified in response to Staff 1-1.
- Staff 1-4** Did the Complainant ever ask Westlake Garden Apartments for the average monthly water/ wastewater bill for all dwelling units and the highest and the lowest bill for the previous calendar year for the time period(s) of the leases identified in response to Staff 1-1?
- Staff 1-5** Did Westlake Garden Apartments ever provide the Complainant information regarding the average monthly water/ wastewater bill for all dwelling units and the highest and the lowest bill for the previous calendar year for the time period(s) of the leases identified in response to Staff 1-1?
- Staff 1-6** If your answer to Staff 1-5 is yes, please provide a copy of the information Westlake Garden Apartments provided to the Complainant.
- Staff 1-7** Please identify the allocation method utilized by Westlake Garden Apartments for calculating tenants' water and wastewater bills for the time period(s) of the leases identified in response to Staff 1-1.
- Staff 1-8** Please provide a copy of all bills sent to the Complainant by, or on behalf of, Westlake Garden Apartments for water and wastewater for the time period(s) of the leases identified in response to Staff 1-1.
- Staff 1-9** Please provide the average monthly water/ wastewater bill for all dwelling units and the highest and the lowest bill for the previous calendar year for the time period(s) of the leases identified in response to Staff 1-1.