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PUC DOCKET NO. 55942

PETITION BY RATEPAYERS	§	PUBLIC UTILITY COMMISSION
APPEALING THE WATER AND	§	
WASTEWATER RATES	§	OF TEXAS
ESTABLISHED BY THE CITY OF	§	
ROCKPORT	§	

RESPONSE OF CITY OF ROCKPORT PURSUANT TO ORDER NO. 4

COMES NOW the City of Rockport, Texas (“City” or “Rockport”) and files this Response Pursuant to Order No. 4.

I. BACKGROUND

On January 10, 2024, the City filed a motion to dismiss the petition as the case has been mooted by the City’s decision to repeal the purported appealed rate. The City made refunds in compliance therewith. Order No. 4 sets a deadline of March 14, 2024, for the City to “file documentation demonstrating the amount that was over collected and proof that refunds have been issued.” This pleading is, therefore, timely filed.

II. REFUNDS

In its response to Order No. 3, the City explained and provided proof by way of declaration that refunds had been made. The affected ratepayers were refunded \$103,873.85 for water service and \$23,576.54 for wastewater service. The City also provided the declaration of the City’s Director of Finance, James R. Sorrell, who stated that all refunds had been made. The declaration contains the demonstration that the City has made the appropriate refunds. The City is providing the declaration herein as Exhibit No. 1 for your convenience.

III. CONCLUSION

As all refunds have been made, the City requests that the docket be in all things dismissed. The City hereby seeks such further relief to which it is justly entitled.

Date: March 6, 2024

Respectfully submitted,

/s/ Arturo D. Rodriguez, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of March 2024, a true and correct copy of the foregoing document was served on the parties listed above by hand delivery, email, facsimile or First-Class Mail.

/s/ Arturo D. Rodriguez, Jr.

ARTURO D. RODRIGUEZ, JR.

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APPEALING THE WATER AND	§	
WASTEWATER RATES	§	OF
ESTABLISHED BY THE CITY OF	§	
ROCKPORT	§	TEXAS

DECLARATION OF JAMES R. SORRELL, CITY OF ROCKPORT, TEXAS

Pursuant to § 132.001 of the Texas Civil Practices and Remedies Code, I, JAMES R. SORRELL, declare as follows:

1. My name is James R. Sorrell, my address is 2751 SH 35 Bypass, Rockport, Texas 78382. I am over 18 years of age. I declare under the penalty of perjury that all information in this document is true and correct.

2. I am the Director of Finance for the City of Rockport, Texas ("City").

3. As the Director of Finance, I am responsible for the utility billing and collection function for the City's water and wastewater utility.

4. The City adopted Ordinance Nos. 1920 and 1921 ("Ordinances") wherein the City repealed the rates that were the subject of an appeal procedure in the above referenced docket. The Ordinances contained similar language that required refunds to affected taxpayers for the differential between the water and wastewater rates purportedly appealed in this docket with the rates previously charged for the services. The affected ratepayers were all located outside the City's corporate limits.

5. The City utilizes utility billing software commonly known as InCode by Tyler Technologies ("Tyler"). I executed an agreement with Tyler on January 4, 2024, to locate, calculate, and credit the appropriate refunds to ensure that the affected ratepayers received the refund they were due pursuant to the Ordinances.

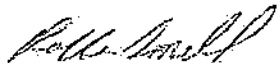
6. Tyler identified a total refund due to the affected ratepayers of \$103,873.85 for water service and \$23,576.54 for wastewater service. By today's date, all ratepayers were provided their appropriate refund. Once the refunds were applied by Tyler to the affected ratepayers' accounts, the refund was applied automatically and instantly. Thus, if a ratepayer had an outstanding balance with the City, then the refund was deducted from the outstanding balance. If the outstanding balance was less than the refund amount, customers received a credit balance that carries over to the next billing cycle. All affected ratepayer accounts have been credited with their appropriate refund.

7. As all refunds have been made, the City considers this matter closed.

JURAT

My name is James R. Sorrell, and I am employee of the following governmental agency: City of Rockport, Texas. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Aransas County, State of Texas on the 13 day of February, 2024.



James R. Sorrell