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Filing Date - 2024-05-14 02:13:45 PM

Control Number - 55942

Item Number - 21

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. 5

COMES NOW the City of Rockport, Texas (“City” or “Rockport”) and files this Response 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.

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.

Order No. 5 provided the ratepayers an opportunity to determine if they sought withdrawal of the appeal. Yesterday, the ratepayers did not take the route of withdrawing their appeal even though they acknowledge that refunds were made. They, instead, want public money expended on a process for which the City has already acknowledged it erred and corrected.

If the ALJ is inclined to require that the City provide additional proof of refunds made, the City hereby moves that a Protective Order be entered in the case as the documentation to provide

proof would require the revelation of utility customer names and account numbers. These are items that should not be available to the public and for which a Protective Order would satisfy.

III. CONCLUSION

As all refunds have been made, the City requests that the docket be in all things dismissed. In the alternative, the City seeks the entry of a protective order to cover any further information regarding refunds. The City hereby seeks such further relief to which it is justly entitled.

Date: May 14, 2024

Respectfully submitted,

/s/ Arturo D. Rodriguez, Jr.

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COUNSEL FOR CITY OF ROCKPORT

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of May, 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.