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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. 7 AND
MOTION FOR CONTINUANCE**

COMES NOW the City of Rockport, Texas (“City” or “Rockport”) and files this Response to Order No. 7.

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.

The ALJ is requiring additional evidence that the refunds were made. As has been explained in previous filings, the City contracts with a third-party software provider to perform all billing functions for the City. The City’s software provider, Tyler Tech, was informed weeks ago of the need to generate a report with sufficient clarity to make it easy on the Commission Staff to review and verify that the refunds were made.

Tyler Tech's software package, apparently, does not have a template or reporting function that can generate the type of information needed to inform the Commission Staff adequately of the refunds. The software company has not been able to isolate the needed information to demonstrate the refunds and report in a simple and intelligible manner. The City has been in contact with Tyler Tech multiple times and spent over 25 man hours to get the information needed. This is time the City staff could have been devoted to other matters. As of this writing, Tyler Tech has been unable to provide the required reports.

The City is looking at alternatives to a Tyler Tech report, such as re-running all out of City customer bills for the relevant time period. However, such a time intensive matter will take the City approximately six weeks to generate from the date ordered by the ALJ to provide the information and the information will not be aggregated. Such a submission will encompass thousands of pages for review by Commission Staff.

While the City seeks an alternative to providing the requested information, the City hereby moves for continuance of today's deadline to provide the required information. Disappointingly, the City's software vendor has been unable to provide the needed information. What is most disappointing about this development is that the City would like nothing more than to have been rid of this docket. But, circumstances have prevented the City from providing the required proof.

III. CONCLUSION

The City hereby seeks additional time to comply with Order No. 7. The City further requests such further relief to which it is justly entitled.

Date: July 15, 2024

Respectfully submitted,

/s/ Arturo D. Rodriguez, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of July, 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.