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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	§	

**CITY OF ROCKPORT RESPONSE TO COMMISSION STAFF’S
RECOMMENDATION ON SUFFICIENCY OF THE CITY’S REFUNDS**

COMES NOW the City of Rockport, Texas (“City” or “Rockport”) and files this Response to Commission Staff’s Recommendation on Sufficiency of the City’s Refunds.

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. On August 15, 2024, PUC Staff submitted a request for the City to spend untold hours of unnecessary work to provide information in a format that summarizes information already provided by the City.

II. PUC STAFF REQUEST

The City has explained many times throughout this docket that the City uses an outside billing company, Tyler Tech, to handle the billing function for the City. The City does not have the ability to manipulate the software used by Tyler Tech. The City is solely able to provide data and reports as received by Tyler Tech. The data filed by the City, in confidential format, demonstrates that refunds have been made. Frankly, in receiving the information from Tyler Tech, the City’s City Manager was verbally informed, by Tyler Tech, that the data uploaded on July 26 2024, was all the information that the City was going to receive from Tyler Tech.

To date, the City has not received a single complaint by an account holder that his/her refund was not made. Yet, PUC Staff wants the City to jump through additional hoops during

budget season, the busiest time for a City's financial department, which includes utility billing. In order for the City to perform the unnecessary and unneeded analysis requested by PUC Staff, the City will need to perform PUC Staff's request by hand, account by account, month by month. It is simply unnecessary given that the refunds were made and no one has complained.

The City asserts that the PUC requested proof of refunds and such proof has been submitted. If the ALJ is inclined to require additional information, the City requests that the ALJ provide the City more than one month in which to work on gathering and submitting additional information. At this point, the City would respectfully request to provide information by December 31, 2024. Further, the City requests that the information not be as prescriptive as PUC Staff demands, but in a manner that the City can hopefully provide in a more cost effective manner. Please keep in mind that PUC Staff is requesting that public funds be expended on its request.

III. CONCLUSION

The City moves that its Motion to Dismiss be in all things granted. In the alternative, the City requests that it provide information by December 31, 2024, in a manner that can possibly be provided in a cost-effective manner. The City further requests such further relief to which it is justly entitled.

Date: August 16, 2024

Respectfully submitted,

/s/ Arturo D. Rodriguez, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of August, 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.