



## **Filing Receipt**

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**Item Number - 38**

**PUC DOCKET NO. 55942**

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

**CITY OF ROCKPORT RESPONSE ORDER NO. 11  
REGARDING CITY'S REFUNDS**

COMES NOW the City of Rockport, Texas ("City" or "Rockport") and files this Response to Order No. 11 Regarding 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. Order No. 11 required that the City provide additional information regarding the City's refunds. This pleading is timely filed.

**II. PUC STAFF REQUEST**

As has been previously stated by the City, the City has spent a considerable amount of manhours to provide proof of refunds to satisfy PUC staff, even when there has not been a complaint that refunds have not been provided. The City uses a outside billing company, Tyler Tech, to handle the billing function for the City. While the data compilations the PUC staff requests are simply made, the provision of the data in a form that meets such simple requests is difficult when one understands the complexity of the Tyler Tech platform. While the City would like nothing more than to put the data in the form as proposed in Order No. 11 to be done with the docket, the City simply does not have that capability despite working with Tyler Tech to provide the information.

The City, though, did receive additional information from Tyler Tech that shows the water and sewer refunds made to all customers entitled to receive refunds. The data is provided confidentially. Exhibit A contains information on refunds made to customers from overcollections<sup>1</sup> in October 2023. Exhibit B contains the same information for November 2023. Finally, Exhibit C provides the same information for December 2023.

In the City's Response to Order No. 3 and Renewed Motion to Dismiss, filed as Interchange Document No. 14 on February 15, 2024, the City stated that it had refunded \$103,873.85 for water service and \$23,576.54 for sewer service. Exhibits A-C confirm such refunds. For example, if you add the water and credit amounts displayed on Exhibit A, page 1249, Exhibit B, page 1268, and Exhibit C, page 1286, the total equals the \$103,873.85 for water service ( $\$36,457.94 + 35,675.92 + 31,739.99$ ) and \$23,576.54 for sewer service ( $\$7,870.20 + 8,349.33 + 7,357.01$ ).

For a more complete picture, the information from which Tyler Tech pulls its data shows the "packets" of information used in the preparation of the report. All "packets" contain the City's out of City customers entitled to refunds. For example, on Exhibit A, Bates page 1245-1246, the refunds were provided to "FLC" or Fulton residents and "OCL" or Out of City residents.

While the information cannot be broken down into meter size, the information does contain actual accounts affected as well as the aggregate account total of refunds or "credit." The City has received the attached information from Tyler Tech and replaces the City's submission of July 26, 2024.

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<sup>1</sup> The City uses the term overcollection to mean the difference between the appealed rate and the previously adopted rate.

### III. CONCLUSION

The City moves that its Motion to Dismiss be in all things granted. The City further requests such further relief to which it is justly entitled.

Date: October 15, 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 15th day of October, 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.

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*/s/ Arturo D. Rodriguez, Jr.*  
ARTURO D. RODRIGUEZ, JR.