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**RATEPAYERS APPEAL OF THE
WATER AND WASTEWATER RATES
ESTABLISHED BY THE CITY OF
ROCKPORT**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**ORDER NO. 13
ESTABLISHING DEADLINES FOR REQUIRED INFORMATION FILING,
SUPPLEMENTAL COMMISSION STAFF RECOMMENDATION, AND
DEADLINE TO REQUEST A HEARING**

This Order deals with several matters. First, unlike Commission Staff, the administrative law judge (ALJ) does not understand the position the City of Rockport is in. The ALJ does not understand how Rockport could have issued refunds and filed an affidavit attesting that the refunds that were provided were correct and complete, but not have any data to support that action or affidavit. Especially considering the data is for a limited data set and period. For this reason, the ALJ does not offer Rockport the option of only providing sample data. In addition, as pointed out by the outside-the-city ratepayers, allowing Rockport to provide proof of refunds using samples only opens the door to other issues such as the adequacy of the samples.

Second, the ALJ will not require Rockport to specifically respond to the questions raised by ratepayers in their October 18, 2024 filing because the ALJ believes the responses would be redundant to the information Commission Staff requires. Ratepayers are free to raise their questions again later in this proceeding if they are not answered.

Third, by January 24, 2024, Rockport must provide the information required by Commission Staff, it's outside-the-city per-customer billing data, by meter size, from September 15, 2023 to December 15, 2023. And Rockport must file the required information consistent with the following instructions.

1. Rockport must file a timely and purely professional response.
2. Rockport must file the required data in native format, not pdf.
3. Rockport must ensure that the filed information is readable. The confidential information Rockport filed on October 15, 2024 is not acceptable. It appears to

have information off the left edge of the pages, is too faint to read, and the ratepayers are correct, the word “confidential” covers some of the information.

4. Rockport must file data ONLY for its outside-the-city ratepayers. The, ALJ does not understand how the 1,251 pages of information filed by Rockport on October 15, 2024 could possibly be responsive to Commission Staff. It appears to be a data dump. However, if Rockport cannot provide a report that separates out its outside-the-city ratepayers and must rely on the information filed confidentially on October 15, 2024 or something similar, along with filing that information in a more readable format and providing it in native format, the City must provide a detailed table of contents and index for the filing, identifying the page number and line for each of the affected outside-the-city ratepayers and meter sizes. The pages must be numbered.
5. And finally, Rockport must provide an affidavit attesting that the information provided is correct and complete.

By February 28, 2025, Commission Staff must file a supplemental recommendation on the sufficiency of Rockport’s proof of complete and correct refunds.

By March 10, 2025, any party to this proceeding may request a hearing.

Signed at Austin, Texas on the 16th day of December 2024.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE