



## **Filing Receipt**

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|                                     |          |                                  |
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| <b>COMPLIANCE DOCKET FOR</b>        | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>DOCKET NO. 50788 (RATEPAYERS</b> | <b>§</b> |                                  |
| <b>APPEAL OF THE DECISION BY</b>    | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>WINDERMERE OAKS WATER</b>        | <b>§</b> |                                  |
| <b>SUPPLY CORPORATION TO CHANGE</b> | <b>§</b> |                                  |
| <b>WATER AND SEWER RATES)</b>       | <b>§</b> |                                  |

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF THE SECOND COMPLIANCE REPORT**

**I. INTRODUCTION**

On March 21, 2024, Commission issued its Order in Docket No. 50788.<sup>1</sup> Ordering Paragraph No. 3 of the Commission's Order requires Windermere Oaks Water Supply Corporation (Windermere Oaks) to refund water and sewer customers over a 45-month period or until a net amount of \$884,666.62 has been refunded, whichever occurs first. Ordering Paragraph No. 4 of the Commission's Order in Docket No. 50788 approves a monthly \$39.21 surcharge per connection over a 45-month period or until \$478,184.04 is collected, whichever occurs first.

On July 29, 2024, the administrative law judge (ALJ) filed Order No. 4, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of Windermere Oaks' second compliance report by October 4, 2024. Therefore, this pleading is timely filed.

**II. RECOMMENDATION ON SUFFICIENCY**

Staff has reviewed Windermere Oaks' second compliance report and, as described in the attached memorandum of Anna Givens of the Rate Regulation Division, recommends that it be found sufficient. Furthermore, Staff recommends that Windermere Oaks be ordered to file compliance reports per the procedural schedule established in Order No. 4 and that Staff continue to monitor Windermere Oaks' filed surcharge and credit information.

**III. CONCLUSION**

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

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<sup>1</sup> *Ratepayers Appeal of the Decision by Windermere Oaks Water Supply Corporation to Change Water and Sewer Rates*, Docket No. 50788, Order (Mar. 21, 2024).

Dated: October 4, 2024

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**DOCKET NO. 56272**

**CERTIFICATE OF SERVICE**

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on October 4, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Tyler Xu  
Tyler Xu

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Tyler Xu, Attorney  
Legal Division

**FROM:** Anna Givens, Director of Financial Review Section  
Rate Regulation Division

**DATE:** October 4, 2024

**RE:** Docket No. 56272 – *Compliance Filing for Docket No. 50788 (Ratepayers Appeal of the Decision by Windermere Oaks Water Supply Corporation to Change Water and Sewer Rates)*

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On March 21, 2024, the Commission issued its Order, which requires Windermere Oaks Water Supply Corporation (Windermere) to implement a rate-case expense surcharge related to Docket No. 50788 in this compliance docket.<sup>1</sup> The Order authorizes Windermere to collect rate-case expenses of \$478,184.04 through a monthly surcharge of \$39.21 per connection over a 45-month period or until \$478,184.04 is collected, whichever occurs first.<sup>2</sup> Additionally, the Order requires Windermere to issue water refunds of \$43.59 per month and sewer refunds of \$32.03 per month over a 45-month period of until a net amount of \$884,666.62 has been refunded, whichever occurs first.<sup>3</sup>

On June 11, 2024, Windermere filed its initial compliance report to demonstrate the surcharge implemented for the period beginning April 2024. On June 13, 2024, Windermere supplemented its compliance report with a native excel file that was organized by account number and showed the running total for each account with regard to the water credit, the sewer credit, and the rate-case expense surcharge. On August 14, 2024, in response to the administrative law judge's (ALJ) Order No.4, Windermere supplemented its first compliance report. The supplemented compliance report included surcharge and credit amounts by account number, month, and amount.

On September 20, 2024, Windermere filed its second compliance report to demonstrate the rate-case expense surcharge collections as well as the water and sewer credits for the period ending with the August 2024 billing cycle. The second compliance report included surcharge and credit amounts by account number, month, and amount.

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<sup>1</sup> *Ratepayers Appeal of the Decision by Windermere Oaks Water Supply Corporation to Change Water and Sewer Rates*, Docket No. 50788, Order at Ordering Paragraph 5 (Mar. 21, 2024).

<sup>2</sup> *Id.* at Ordering Paragraph 4.

<sup>3</sup> *Id.* at Ordering Paragraph 3.

Based on the information provided in Windermere's second compliance report, surcharges to effectuate the collection of rate-case expenses occurred as follows for the period March 2024 through August 2024.

| <b>Amount to Be Surcharged<sup>4</sup></b><br><b>(b)</b> | <b>Amount Second Report</b><br><b>(c)</b> | <b>Remaining Balance to Surcharge</b><br><b>(d) = (b)-(c)</b> |
|--|---|---|
| \$ 478,184.04  | \$68,908.17 <sup>5</sup>                  | \$409,275.87  |

Based on the information provided in Windermere's second compliance report, credits to effectuate the refund of water and sewer rates as specified by the Commission in its Order<sup>6</sup> occurred as follows for the period March 2024 through August 2024.

| <b>Meter Size</b><br><b>(a)</b> | <b>Net Water and Sewer Amount to Be Credited<sup>7</sup></b><br><b>(b)</b> | <b>Water Amount Credited Second Report</b><br><b>(c)</b> | <b>Sewer Amount Credited Second Report</b><br><b>(d)</b> | <b>Remaining Balance to Credit</b><br><b>(e) = (b)-(c)-(d)</b> |
|---------------------------------|--|--|--|--|
| 5/8" to 3/4"                    | \$ 884,666.62  | \$75,821.46 <sup>8</sup>                                 | \$52,030.01 <sup>9</sup>                                 | \$756,815.15   |

The reported information identifies the individual billing months over which Windermere collected the rate-case expense surcharge amounts as well as the amount collected each month. The reported information identifies the individual billing months over which Windermere issued water and sewer credits as well as the amounts credited each month. I recommend that the ALJ find Windermere's second compliance report sufficient. I recommend that Staff's continued monitoring of the of the surcharge and credit information is in the public interest.

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<sup>4</sup> *Id.* at Ordering Paragraph 4.

<sup>5</sup> Windermere's PUC Docket No. 56272 Second Compliance Report (Sep. 20, 2024).

<sup>6</sup> Docket No. 50788, Order at Ordering Paragraph 3.

<sup>7</sup> *Id.*

<sup>8</sup> Windermere's PUC Docket No. 56272 Second Compliance Report (Sep. 20, 2024).

<sup>9</sup> *Id.*