



## **Filing Receipt**

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**Item Number - 125**

Public Utility Commission of Texas  
1701 N. Congress Avenue  
Austin, Texas 78701

Chairman Thomas Gleeson | Thomas.Gleeson@puc.texas.gov

July 11, 2024

This is in reference to the email [56589-123] of July 8, 2024 from Ms. Marie Dahlmann, Deputy Director, Constituent Communication Division at the Office of the Governor, regarding petitioners' complaint against PUC's attorney Kevin Pierce of the Legal Division for criminal, evil, fraudulent tampering with facts, evidence, and law in his comments [56589-83] on the admissibility of a meritorious rate appeal brought before the Commission pursuant to TWC § 13.043(b)(4). In [56589-86], [56589-87], [56589-88], and [56589-89], petitioners documented in great detail Kevin Pierce's conscious involvement in a criminal act. The material will not be repeated here but will be discussed with Ms. Jena Abel, Agency Counsel, should she so require.

New evidence disclosed on 7/10/2024 proves petitioners theories—during May 15 – June 28, attorney Kevin Pierce had 25 emails and one phone call with the Municipal Utility District's attorneys from the law firm Lloyd Gosselink Rochelle & Townsend, P.C. in Austin (see [56589-120] and [56589-124]). In his email exchanges, Kevin Pierce presents himself as a biased, prejudiced, conflicted, compromised attorney and a secretary to the MUD's attorneys, alerting them to specific pleadings so that they take action. While his role at the Commission is to advocate the general public's interests, Kevin Pierce acts as the MUD's attorney and petitioners' counterparty, being overjoyed about wanting to unlawfully and fraudulently dismiss a meritorious petition (rate appeal).

On June 17, eleven days before delivering his evil, fraudulent, criminal comments [56589-83], PUC's attorney Kevin Pierce informed the MUD's attorney (Jamie Mauldin of Lloyd Gosselink Rochelle & Townsend, P.C.) that he intends to move for dismissal of the petition. He did the same again on June 26, two days before filing his comments [56589-83].

Monday, June 17, 2024 2:31 PM

Kevin,

Thanks for sending. In advance of the deadlines next week (6/29), is there anything we should discuss on procedural schedule? Do you know yet how your SMEs will be commenting on the petition?

Give me a call to discuss if you'd like.

Thanks,

Jamie [Mauldin]

Principal

Lloyd Gosselink Rochelle & Townsend, P.C.

Monday, June 17, 2024 3:47 PM

Good afternoon Jamie,

Just as a point of clarification the ALJ moved the deadlines to July 1, so we have a little more time to prepare everything.

I'm not 100% finished with my review, both on my own and through my reviewers, but I think that we're likely to move for dismissal and therefore not recommend a procedural schedule until the motions to dismiss are addressed.

Best Regards,

Kevin Pierce

Attorney, Legal Division

Public Utility Commission of Texas

Wednesday, June 26, 2024 9:08 AM

Hi Kevin,

I was just looking at my calendar and wanted to confirm that we don't need to confer on scheduling/processing for a filing Monday. I know Staff usually handles that in their recommendation but let me know if you need anything else on that.

Thanks-

Jamie [Mauldin]

Principal

Lloyd Gosselink Rochelle & Townsend, P.C.

Wednesday, June 26, 2024 12:29 PM

Good afternoon Jamie,

I appreciate you checking in. We don't believe it'll be necessary to discuss a procedural schedule at this time. Subject to some unanticipated, last-minute course-reversal I intend to move for dismissal of the petition, and a procedural schedule would be moot given that motion.

Let me know if you'd like to discuss anything else on this docket.

Best Regards,

Kevin Pierce

Attorney, Legal Division

Public Utility Commission of Texas

Petitioners have complained about attorney Kevin Pierce to the State Bar of Texas. The case was given ID no. 413. On 7/10/2024, petitioners were informed by the Office of the Attorney General that: "In Texas, the county or district attorney has primary jurisdiction to pursue alleged criminal violations of the law. They are granted extensive discretion in determining which cases will be prosecuted and whether or not those cases will proceed before a grand jury. This office can assist with criminal investigations and prosecution at the request of the local officials. You may wish to share your concerns with the local prosecutors." Petitioners will follow this lead with a complaint filed with the District Attorney in Austin over the weekend. We will also continue to pursue the case with the City of Austin Police Department and Texas Department of Public Safety – Public Integrity Unit.

Internally, Agency Counsel Jena Abel was assigned to the case. She will be reviewing the documents as she returns to the office on July 15. Petitioners kindly request the Commission to *refrain* from attempting to support, protect, or shield attorney Kevin Pierce. Rather, the Commission is obliged to conduct a thorough, fair, independent investigation to the highest standards. Impunity is a worse crime than the crime itself. Human Rights Watch says: "Today's impunity is tomorrow's crime."

Katy, Texas on the 11th day of July 2024.

Respectfully submitted,

**on behalf of Grand Lakes MUD No. 2 ratepayers**

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**Copy:**

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- Ms. Jena Abel, Agency Counsel, Public Utility Commission of Texas | jena.abel@puc.texas.gov