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DOCKET NO. 56589

PETITION BY RESIDENTS OF GRAND	§	BEFORE THE
LAKES MUNICIPAL UTILITY DISTRICT	§	
NO. 2 APPEALING THE WATER RATES	§	PUBLIC UTILITY COMMISSION
ESTABLISHED BY THE DISTRICT'S	§	
BOARD OF DIRECTORS	§	OF TEXAS

RESPONSE TO COUNTERPARTY REGARDING EXTERNAL LEGAL COUNSEL

(1) The counterparty's response of 5/24/2024 [56589-35] regarding the external legal counsel continues to be deficient. Until this matter is lawfully and properly handled, the counterparty's Attorney (the law firm Schwartz, Page & Harding LLP) can respond to **docket no. 56589**. Two attorneys (Christopher T. Skinner and Gordon Cranner) and a paralegal (Melia Berry) at the said law firm are engaged on a full-time basis to follow the water district's business and affairs.

(2) Ratepayers reiterate that engaging an external legal counsel is unnecessary and results in discarding residents' funds when the water district has an Attorney (the law firm Schwartz, Page & Harding LLP) that is competent enough to respond to a case of its own creation, and that is paid by residents' funds to represent the water district and follow its legal affairs. The said law firm is not at will to bring in another law firm to avoid perjury and self-incrimination in a case of its own creation. The said law firm cannot bring in an external law firm and use residents' funds to defend itself and justify its unlawful, punishable practices. The said law firm is paid by residents' funds; it must pay for its own defense; it must not use residents' funds for that purpose.

(3) Attachment A to the counterparty's response of 5/24/2024 [56589-35] shows that the MUD's Attorney (the law firm Schwartz, Page & Harding LLP) has listed 'engaging an external counsel for the purpose of following up docket no. 56589' as an item on the Agenda for the 5/20/2024 MUD Board Meeting. Residents / ratepayers and the Commission do not, however, know how many directors attended the 5/20/2024 MUD Board Meeting and how they voted. Documentary evidence that the assignment/engagement was approved does not exist before the Commission.

(4) The engagement letter presented in the counterparty's response of 5/22/2024 [56589-27] is dated 5/13/2024 and is signed by Mike McClusky on 5/20/2024 (the day a Board Meeting was held). Contesting the engagement of, assignment to, an external legal counsel was raised by the ratepayers in the brief of 5/22/2024 [56589-28], in response to the counterparty's filing of 5/22/2024 [56589-27]. A rational observer will pose a number of questions:

- Aren't the dates peculiar?

- Does the Commission know who Mike McClusky (the individual who signed the engagement letter) is?
- Does the Commission know what Mike McClusky's title is?
- Do the ratepayers and the Commission know if Mike McClusky carries a legitimate Power of Attorney that authorizes him to bind the MUD legally, contractually, and financially?
- Do the ratepayers and the Commission know if Mike McClusky is entitled or authorized to sign on behalf of the MUD's Board?
- Why is the contested Rate Order [56589-5] signed by Gregory Henry, Secretary of the MUD's Board, while the engagement letter of 5/13/2024, filed on 5/22/2024 [56589-27], is signed by a different person, not the Board's Secretary?

Katy, Texas on the 24th day of May 2024.

Respectfully submitted,

on behalf of Grand Lakes MUD No. 2 ratepayers



George J. Wakileh, Ph.D.
6819 Rosemont Park Ln
Katy, TX 77494-6590
george.wakileh@gmail.com

CERTIFICATE OF SERVICE

I, George J. Wakileh, certify that notice of the filing of this pleading is being provided to all parties of record via electronic mail on May 24, 2024.

- Mr. Kevin Pierce, Attorney assigned to this docket | PUCT's Legal Division.
- The MUD's Board via the MUD's Attorney (the law firm Schwartz, Page & Harding LLP).
- Attorneys from the law firm Lloyd Gosselink Rochelle & Townsend, P.C.



George J. Wakileh, Ph.D.