



Filing Receipt

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DOCKET NO. 56610

RATEPAYERS' APPEAL OF THE	§	PUBLIC UTILITY COMMISSION
DECISION BY LEROY-TOURS-GERALD	§	
WATER SUPPLY CORPORATION TO	§	OF TEXAS
CHANGE RATES	§	
	§	

LEROY TOURS GERALD WATER SUPPLY CORPORATION'S
VERIFICATION OF SINGATURES

COMES NOW, the Leroy Tours Gerald Water Supply Corporation ("LTG") and files this it's verification of signatures included in the appeal and would show the following:

I. PROCEDURAL HISTORY

Petitioners filed their Ratepayers' appeal of the decision by Leroy Tours Gerald Water Supply Corporation to change rates (Petition) purportedly under Texas Water Code (TWC) § 13.043(b)(4) and 16 Texas Administrative Code (TAC) § 24.101 (c)(4). On July 3, 2024, the Administrative Law Judge issued Order No. 4 requiring LTG to verify the signatures included in the appeal by July 8, 2024, therefore this response is timely filed.

II. PROCESSING THE PETITION

In this matter, an appeal under Section 13.043 (b) the Texas Water Code must be signed by "...10 percent of those ratepayers whose rates have been changed and who are eligible to appeal..." Texas Water Code (TWC) § 13.043(c). At the time of filing, LTG had approximately 598 active meters. This means that the signature of at least 60 of LTG's ratepayers would be required on a petition to initiate and appeal of the rates set by LTG.

The Water Code describes the manner in which a person would be considered a ratepayer as follows:

"In an appeal under Subsection (b) of this section, each person receiving a separate bill is considered a ratepayer, but one person may not be considered more than one ratepayer

regardless of the number of bills the person receives. The petition for review is considered properly signed if signed by a person, or the spouse of a person, in whose name utility service is carried.” Texas Water Code (TWC) § 13.043(d).

III. LTG’S REVIEW

In the cover letter filed in the PUC Interchange Filing System on May 14, 2024, the Ratepayers state that the petition contains 95 signatures. After review of this PUC filing, Leroy Tours Gerald Water Supply Corporation cannot verify 95 signatures. However, based on a line-by-line review of the fourteen pages (14) following the cover letter, LTG does not contest there are 75 signatures that appear on the petition.

In a general sense, LTG does not have the ability to ascertain if any signature is actually the signature of the person whose name is subscribed. LTG found several names that appeared to be only the printed name of a person that did not also include a signature. LTG also found instances where spouses appeared to be signing where that signature should only be counted as one signature. There appear to be at least three signatures of individuals who are not members or otherwise are not found within LTG’s billing database. LTG cannot determine if these individuals are eligible to be counted on the Petition.

However, to the extent LTG is asked to verify signatures, LTG will not contest that there are 75 signatures which would place the Petition over the 10 percent threshold.

IV. CONCLUSION

Subject to LTG’s assertion that the Ratepayers have not met the statutory requirement to provide notice of the petition to LTG, and without waiving LTG’s Motion to Dismiss, LTG concedes the petition contains a sufficient number of signatures.

Dated: July 5, 2024

Respectfully submitted,

BUENGER & ASSOCIATES, PLLC

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CERTIFICATE OF SERVICE

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on July 5, 2024 in accordance with the Second Order Suspending Rules, issued in Project 50664.

/s/ Daniel Adam Miles
DANIEL ADAM MILES