

COMMENTS TO PUC – November 14, 2025

Good morning. My name is Joe Gimenez.

I volunteered for the Board of Directors for the Windermere Oaks Water Supply Corporation in 2019 and served as President until 2023.

As such, I was a testifying party in the three-year rate appeal Docket 50788.

Because of 50788, Windermere's 290 ratepayers are paying a \$39/month surcharge, almost as much as the \$42 water rate increase that was appealed.

In amicus brief 50788-384, the Texas Rural Water Association described how PUC processes caused the \$500,000 rate case expense.

One example: Ratepayers issued 9 sets of RFIs with 210 questions. Staff issued 8 sets with 82 questions.

There are other examples.

In January, I described how Staff Attorney Merritt Lander briefed that "There must be a finite financial limit" for Windermere legal expenses of the Board.

She did not cite Texas law or Commission rule. None exist.

In October, I described Ms. Landers hyperbolic defamation of the Windermere Board.

Today, let's discuss PUC Financial Analyst Maxine Gilford's testimony in 50788-109.

Ms. Gilford has a BA in Business Administration and attended NARUC's rate school. She had no legal credentials.

Yet nearly 40% of her brief focused on criticizing the Windermere Board's fiduciary conduct, litigation strategies, and alleged improprieties.

For example, she faulted the Board for not mediating a settlement.

Oh how I wish I could legally disclose the character of the four mediation sessions we did hold.

Ms. Gilford also said that the Windermere Board's wrongdoings caused its insurance company to deny coverage of its D&O policy.

I was surprised at the time to read that in PUC Staff testimony.

It was the same scandalous narrative being used in Windermere by plaintiffs in underlying suits, the ratepayer representatives and neighborhood activists on NextDoor, YouTube, a slam-book style website, and at water company meetings.

In reality, the insurance company's move was typical, denying coverage to save its money and dare its customers to sue for breach of contract.

The Windermere Board did just that in 2021 and prevailed in 2023 at the Fifth Circuit Court of Appeals, securing a \$679,000 judgment for director legal fees and penalties for not covering Windermere since 2019.

Ms. Gilford's legal commentary exceeded her qualifications and was steeped in Windermere politics.

It reflected on a PUC process shaped more by subjective judgments than financial analysis.

In January, when I described how Ms. Lander made up her own laws, a utility attorney told me that similar conduct occurs beyond Docket 50788.

Utility attorneys won't speak candidly to you about Staff overreach and PUC processes.

It's good business for them. They rack up hours untangling it.

However, Ratepayers suffer. In Windermere, we're each paying nearly \$500 per year.

I urge the Commission to examine Staff behavior in Docket 50788 and investigate whether similar subjective conduct in other dockets is misleading the Commission and inflating rate case expenses for Texas ratepayers.

Thank you for considering my views.