

DOCKET NO. 56167

COMPLIANCE FILINGS FOR DOCKET	§	PUBLIC UTILITY COMMISSION
NO. 55454 (PETITION TO DETERMINE	§	
FAILURE TO ACT IN ACCORDANCE	§	OF TEXAS
WITH TEXAS WATER CODE §§ 67.007	§	
AND 13.002(11) AND (24) BY	§	
WINDERMERE OAKS WATER	§	
SUPPLY CORPORATION)	§	

**COMPLAINT OF NONCOMPLIANCE WITH RECORD RETENTION
POLICY BY WINDERMERE OAKS WATER SUPPLY CORPORATION
(WOWSC)**

Background

On September 25, 2025, WOWSC filed its *Addendum I to the Record Retention Policy* (“*Policy*”) in Docket No. 56167. That filing explicitly requires:

- Corporation-specific email accounts for directors and officers, maintained as corporate property.
- Prohibition on use of personal email accounts for official utility business.
- Permanent retention of governance-related emails, including board deliberations, bylaws, tariffs, and regulatory matters.

Complaint

Despite this filing, WOWSC has failed to comply with its own Policy:

1. Use of Personal Email Accounts
 - Attached Exhibit A (Town Hall Email, October 21, 2025) and Exhibit B (Town Hall Notice, November 6, 2025) show official communications sent from *pflunkerwowsc@yahoo.com*.
 - These emails concern board actions, member notices, and regulatory matters — all of which fall under “governance-related emails” that must be retained and sent via corporate accounts.
 - WOWSC previously maintained corporate email addresses in the format *@wowsc.org* (e.g., *place1@wowsc.org*, *place2@wowsc.org*). (see Exhibit C,

Items Placed on the Agenda for the April 15th Meeting). The shift to personal accounts represents a clear violation of the filed policy.

2. Website Evidence of Noncompliance with Policy

- Attached Exhibit D (WOWSC Website Page: “Board Members, TOMA Certificates and Code of Ethics”) shows that WOWSC continues to list personal email addresses for directors rather than *@wowsc.org* accounts. In addition, there are typos and conflicting addresses for one of the non-compliant email addresses.
- This demonstrates systemic failure to implement the retention and compliance measures required under Order No. 14 and the corporation’s policy.

Request for Commission Action

The undersigned respectfully requests that the Commission:

- **Find WOWSC out of compliance with its Record Retention Policy filed in Docket No. 56167.**
- **Direct WOWSC to immediately reinstate and use *@wowsc.org* corporate email accounts** for all directors, officers, and 3rd party water service operators.
- **Require corrective transfer of existing records:** Specifically, that individuals conducting WOWSC business through personal accounts — including *pflunkerwowsc@yahoo.com*, *ahickswowsc5@gmailc.om* (sic) and *ahicksdirector5@gmail.com* (sic, Exhibit D) — be ordered to forward all emails, attachments, and communications related to WOWSC business into their assigned *@wowsc.org* accounts. This will ensure continuity, transparency, and compliance with the Record Retention Policy and the Texas Public Information Act.
- **Mandate certification of compliance:** WOWSC should certify to the Commission, within a set timeframe, that all directors and officers are using *@wowsc.org* accounts exclusively for corporate business and that all prior communications have been migrated.
- **Consider further enforcement measures** if WOWSC continues to disregard its obligations under the Texas Water Code and Public Information Act.

Exhibits

- Exhibit A: Email dated October 21, 2025, from *pflunkerwowsc@yahoo.com* (Town Hall Notice).
- Exhibit B: Email dated November 6, 2025, from *pflunkerwowsc@yahoo.com* (Town Hall Video Notice).
- Exhibit C: Email dated March 29, 2023, from *kimf4mb@gmail.com* (Titled: “Items Placed on the Agenda for the April 15th Meeting”).

- Exhibit D: WOWSC Website Page: “Board Members, TOMA Certificates and Code of Ethics” (showing personal email addresses in place of @wowsc.org accounts).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Joe Gimenez".

Joe Gimenez
Member
Windermere Oaks Water Supply Corporation
346 Coventry Rd
Spicewood TX 78669
1129jjg@gmail.com

CERTIFICATE OF SERVICE

I hereby certify, unless otherwise ordered by the presiding officer, that a copy of this Complaint filing in Docket No. 56167 has been served on all parties of record via electronic mail in accordance with the Public Utility Commission of Texas rules. Service was accomplished via electronic mail on December 2, 2025, consistent with the Order Suspending Rules in Project No. 50664.

A handwritten signature in blue ink, appearing to read "Joe Gimenez".

/s/Joe Gimenez

Exhibit A:

Email dated October 21, 2025, from
pflunkerwowsc@yahoo.com (Town Hall Notice).



Update from the WOWSC – Town Hall on CSWR Offer Saturday Oct. 25th at 9:30 AM

From:Patti Flunker (pflunkerwowsc@yahoo.com)

To:windermerewater@gmail.com

Date:Tuesday, October 21, 2025 at 10:04 PM CDT

Message Body

Members,

At our October 16, 2025, Board Meeting, the WOWSC Board voted to accept a Letter of Intent from Central States Water Resources (CSWR) to purchase all of the corporation's water and wastewater assets for nearly \$1.2 million. After careful evaluation of our system's condition, outstanding TCEQ violations (costing over \$1 million to correct), and the corporation's limited financing options, the Board concluded that transferring ownership to a qualified, well-capitalized, and experienced water utility owner is in the best interest of the membership.

Over the years, many essential upgrades to our utility have been deferred or addressed with temporary, low-cost fixes rather than long-term solutions. For example, installing a new clarifier and securing fencing around the effluent field on Exeter Road were both identified by the TCEQ years ago as serious concerns. These and other critical improvements have gone unaddressed while substantial funds were spent elsewhere, including on legal fees, rather than reinvested into the system. This pattern of neglect has left the utility with overdue infrastructure needs that will now require significant funding. As a nonprofit water supply corporation, WOWSC is limited in its ability to generate funds to pay for capital improvements, especially when they have history of defaulted - meaning the burden of funding these projects ultimately falls on members. Without the sale, the Board would be forced to pass on costly assessments to pay for these necessary upgrades and raise the rates.

Under the proposal, CSWR would assume all future responsibility for capital improvements, compliance, and operations. Net sale proceeds would be refunded directly to property owners for each property owned, based on the original equity buy-in fee that reflects what was paid for that property's system capacity. These equity buy-in amounts range between approximately \$3,000 and \$4,600 per property. Whether you or a previous owner paid the equity buy-in fee, the current legal property owner is the rightful recipient of the refund.

The system would continue under Public Utility Commission of Texas oversight, ensuring that CSWR cannot raise rates without Commission approval based on verified financial data. With this transition, there would no longer be board elections, board meetings, or volunteer management of a complex public utility. Operating a water and wastewater system carries significant technical, financial, and regulatory obligations that require experienced professionals including board members. Transferring ownership to CSWR ensures that these responsibilities are handled by a company with the resources, staff, and expertise to manage them effectively and reliably.

A Town Hall Meeting will be held this Saturday, October 25, 2025, at 9:30 a.m. at the Windermere Oaks Pavilion, where a CSWR representative will provide details and answer questions. A Special Members Meeting to vote on the sale will follow on Saturday, December 13, 2025, at 10:00 a.m., also at the Pavilion.

Please click on this link <https://wowsc.org/cswr-town-hall-oct-25-2025> to view CSWR information including their current base rates which are \$49.89 for water and \$63.28 for sewer, a letter from the Board, and background information on who CSWR is.

Sincerely,

WOWSC Board of Directors

Patti Flunker/President

Mark Carpenter/Vice President

Allen Hicks/Secretary, Treasurer

Bill Stein/Director

Karen Yeaman/Director

Exhibit B:

Email dated November 6, 2025, from
pflunkerwowsc@yahoo.com (Town Hall Video
Notice).



CSWR Town Hall Video and Upcoming Vote to Sell to CSWR on December 13, 2025

From:Patti Flunker (pflunkerwowsc@yahoo.com)

To:windermerewater@gmail.com

Date:Thursday, November 6, 2025 at 05:24 PM CST

Message Body

Dear Members,

We hope everyone is doing well and enjoying this beautiful weather. It's been a busy year for Windermere Oaks Water Supply Corporation (WOWSC), and we're now at a turning point that will shape the future of our community.

On October 25, 2025, WOWSC held a Town Hall meeting where representatives from Central States Water Resources (CSWR) presented details on the proposed purchase of our water and wastewater system and answered member questions. The meeting was well attended and informative. For those who couldn't join, the full presentation is available here <https://www.wowsc.org/town-hall-video>

Why This Vote Matters

This sale represents an opportunity for This vote is our opportunity to ensure the WOWSC has a well-run, efficient utility that operates the way it should — responsibly, transparently, and with the resources to serve our community for years to come by professionals in the industry. Additionally this sale if approved, will allow each member to receive a refund check (typically \$3,000–\$4,600 per property) based on the Equity Buy-In Fees paid for their property. Just as importantly, the sale will end years of regulatory burdens, compliance filings, and constant board turnover putting professional management in place that knows how to run a utility like ours, bringing stability to our system.

The Reality Today.

Over the past year, the PUC had to appoint a temporary manager after serious operational failures, and a June 2024 TCEQ inspection found numerous violations in both water and wastewater that had been ignored for years. Currently the WOWSC is now under PUC oversight for four more years, facing required annual audits, financial filings, approval of rates, getting approval on all changes to our bylaws, election procedures, tariff's and many other obligations. Additionally, with the TCEQ identified issues we now have required projects to complete including fencing the 24-acre effluent field and replacing the aging clarifier. Which has not been completed by previous boards and all come with a hefty cost. The violations from TCEQ are listed

herehttps://www.wowsc.org/documents/778/TCEQ_Letter_08282024_Recd_09122024.pdf.

Without change, these expenses along with legal, and regulatory costs — will continue to fall directly on members through assessments and higher rates.

A Practical Solution

To move forward, CSWR is offering to purchase the WOWSC's assets after the board negotiated with CSWR for approximately \$1.1 million. The proceeds will go directly to current members as refunds of the Equity Buy-In Fees paid when each property connected to the system. Any verified infrastructure work completed before closing will increase the final sale amount — meaning the total distribution to members could exceed \$1.1 million.

CSWR is a respected, state-regulated utility with an excellent track record and a strong relationship with the PUC. Their current base rates — \$49.89 for water and \$63.28 for sewer — are a fraction of what nearby providers such as Corix and Aqua charge (often \$200 or more per month in base rates alone). Clearly, CSWR is the right choice for our community.

They also provide modern conveniences like online, phone, and in-person payments at multiple payment centers in Austin and Marble Falls including at HEB, along with assistance programs for seniors and families in need — services WOWSC simply cannot offer under its current structure.

What Your Vote Means

A vote FOR the sale means approving the transfer to CSWR, receiving your refund, and finally ending years of infighting, lawsuits, compliance filings, and rising costs. CSWR will take over daily operations, make necessary upgrades, and bring professional, long-term management to our system.

A vote AGAINST the sale means staying under PUC oversight for at least four more years, facing expensive TCEQ-mandated upgrades that must be paid for by members through assessments and higher rates. Because past boards defaulted on CoBank loans, WOWSC's creditworthiness is poor, leaving no borrowing options — meaning the only funding source would be you, the members.

Ballots and Meeting Packet

You should receive your ballot and meeting packets next week, and the Special Members Meeting will be held on Saturday, December 13, 2025. This vote is our chance to finally turn the page — to secure financial relief, eliminate future assessments, bring the community together and ensure professional, dependable service for years to come.

Let's move the community forward together. Please watch your mailbox, review your ballot carefully, and vote in this important election. If you have any questions please email us at windermerewsc@gmail.com

Sincerely,

WOWSC Board of Directors

Patti Flunker, Allen Hicks, Mark Carpenter, Bill Stein and Karen Yeaman

www.wowsc.org

Exhibit C:

Email dated March 29, 2023, from
kimf4mb@gmail.com (Titled: “Items Placed on the
Agenda for the April 15th Meeting”).



joe gimenez <1129jjg@gmail.com>

Items Placed on the Agenda for the April 15th Meeting

Kim Goyette <kimf4mb@gmail.com>

Wed, Mar 29, 2023 at 8:55 AM

To: place1@wowsc.org, place2@wowsc.org

Hello, I would like to place two items on the agenda for discussion at the April 15th meeting. Thank you!

1. Reduction of the base monthly water rate to its original rate before the increase in 2020.
2. Reimbursement of the difference in the increase of the base monthly water rate from March 2020 to present.

Kim Goyette
(512) 294-4744
kimf4mb@gmail.com

Exhibit D:

WOWSC Website Page: “Board Members, TOMA Certificates and Code of Ethics” (showing personal email addresses in place of *@wowsc.org* accounts).



Windermere Oaks Water Supply Corporation, Spicewood, Texas

The WOWSC has a new Operator and Billing Services - Spicewood Utility Services - samantha@spicewoodus.com

[Home](#)[Customer Service ▾](#)[Forms & Reports ▾](#)[News & Notices ▾](#)[CSWR Information ▾](#)

Board Members, TOMA Certificates and Code of Ethics

Contact the Board:

pflunkerwowsc@yahoo.com

ahicksdirector5@gmail.com

Director

Mark Carpenter

Director/ President

Patricia Flunker

pflunkerwowsc@yahoo.com

Director / Secretary/Treasurer

Allen Hicks

ahickswowsc5@gmail.com