

## COMMENTS TO PUC – January 15, 2026

Good morning.

My name is Joe Gimenez, former volunteer Board President of the Windermere Oaks Water Supply Corporation from 2019 to 2023. My testimony in the 50788 rate case is on the Interchange.

I have been describing how the Commission imposed a financial death sentence on Windermere based on perceptions about numerous Boards' behavior.

I get it. You followed Staff and they were supportive of Ratepayer Representatives' goal of depriving innocent Board members of corporate revenues needed for their legal defense, despite that being a corporate duty in Texas Business Code Chapter 8.

The Commission followed Staff, not Judges Wiseman and Siano in their just and reasonable PFD.

But the underlying lawsuits that fueled this regulatory miscarriage produced almost no objective value.

Plaintiffs spent \$500,000 to \$600,000 of their own money and were proud to secure two victories, no matter how Pyrrhic they might seem to most:

- A finding of a 2015 Open Meetings Act violation.
- A jury decision finding a former board member – the one they endearingly called “Chups” -- underpaid by \$70,000 for a land purchase made a decade ago, for \$230,000.

We had no control of the plaintiffs' nihilism. Their court pursuits cost Windermere about \$1.5 million to defend, \$700,000 of which was eventually recovered from the insurance company..

The Windermere Boards used base rates to prevent the deep pocketed title company from entering the case, and to defend their innocence against frivolous claims for \$1 million, personally.

While managing this litigation, we were providing safe, adequate water and positioning for future infrastructure improvements, despite public accusations that we were criminals and conspirators.

The plaintiffs, Ratepayer Representatives, one of their spouses and the neighborhood mob were, and still are, convinced of their own delusional false light narratives, filing complaints with the Burnet County Sheriff's Office, the Texas Rangers Public Corruption Unit, the Burnet County District Attorney's Office, the Texas Attorney General's Criminal Investigation Division, the Internal Revenue

Service, state elected officials, Austin news media, the Texas State Auditor, and of course the PUC throughout the Rate Case 50788 and then the Public Utility Commission Division of Compliance and Enforcement.

So who were the Board members who decided late in life to form a racketeering mob?

- A U.S. Air Force pilot who flew U-2 spy planes during the Cold War, before a long career as a commercial airline pilot
- A quality-control engineer overseeing global manufacturing for a Forbes 500 semiconductor company
- The former leader of the computing and communications division at Los Alamos National Laboratory
- A career professional at the nationally recognized GSD&M advertising firm and Board member of the Central Texas Water Coalition

These were accomplished Texans serving their community as volunteers.

Don't worry, they will never do so again, especially after experiencing the alternate universe of the just and reasonable standards of the PUC and its hyperbolic, impugning, misleading Staff.

My motivation for coming here has been to put this on record as best I can in three minute snips.

In 2002, I attended the World Energy Awards in New York at the Park Plaza Hotel while working for Capgemini's Energy, Utilities, and Chemicals group. The event was an Academy Awards for high achieving, innovative, global energy companies.

Dinner table talk bantered about the demise of Enron. A northeastern state's public utilities commissioner told me, quite seriously, that CEO Ken Lay should be publicly executed. I thought that extreme, and, well, insane.

But after this rate case, Staff's actions, the Cobos Memorandum, and Commission's counter-judicial view of just and reasonable, I have seen how regulatory power, especially when misled by Staff in an unprofessional relationship with unhinged ratepayer representatives, can drift from sound public policy toward punitive destruction.

I know this Commission can do better. Thank you for considering my views.