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Comments in Docket No. _____

If you want to be a PROTESTOR only, please complete this form. Although public comments are not treated as evidence, they help inform the PUCT and its staff of the public concerns and identify issues to be explored. The PUCT welcomes such participation in its proceedings.

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I am NOT requesting to intervene in this proceeding. As a PROTESTOR, I understand the following:

- I am NOT a party to this case;
- My comments are not considered evidence in this case; and
- I have no further obligation to participate in the proceeding.

Please check one of the following:

☐ I own property with a habitable structure located near one or more of the utility's proposed routes for a transmission line.

☐ One or more of the utility's proposed routes would cross my property.

☒ Other. Please describe and provide comments. You may attach a separate page, if necessary. _____

Signature of person submitting comments: _____



Date: 11-25-2020

**APPLICATION OF AQUA TEXAS, INC. § BEFORE THE FOR AUTHORITY TO CHANGE RATES § PUBLIC
UTILITY COMMISSION § OF TEXAS**

PUC DOCKET NO. 58124

Ratepayer Protest and Comments of Trey Harlin

6125 Lakeside Drive | Fort Worth Texas 76179 | PWS ID TX2200344

I submit these comments as an individual residential customer of Aqua Texas, Inc. residing at 6125 Lakeside Drive, Fort Worth, Texas 76179, in The Resort at Eagle Mountain Lake. I strongly oppose Aqua's proposed and interim rate increases. I am filing only as a protestor. I do not request intervention, party status, discovery rights, or any other party obligation.

I have lived at this address for 3 years. Throughout that entire period, Aqua has been the only water and wastewater provider available to my household. I have therefore been compelled to remain an Aqua customer without any meaningful ability to choose a competing provider based on price, water quality, or service reliability.

My most recent monthly Aqua bill was \$1,213.94. That is an extraordinary residential water charge by any ordinary measure. It is especially indefensible when paired with the recurring interruptions, inadequate reliability, and maintenance problems that my household and neighbors have experienced. The Commission should not approve a rate design that produces bills of this magnitude without a searching, system-specific examination of the costs, usage data, purchased-water charges, pass-through charges, meter accuracy, and service actually provided at The Resort.

Even that \$1,213.94 bill does not buy water my family considers suitable for drinking or cooking. We use Aqua water only for the washing machine, dishwasher, toilets, and ordinary household plumbing. We do not drink it or cook with it because its taste and odor are rancid and unacceptable. Instead, I must separately purchase essentially all of the water my household consumes for drinking. I would save more than \$1,000 each year in purchased drinking-water expense if Aqua supplied water that my family could reasonably drink.

Relief Requested

1. Reject or materially reduce Aqua's requested increase and adopt only rates Aqua has proved are just and reasonable.
2. Give substantial weight to Aqua's service quality, operational efficiency, management, and monopoly position when setting its return and revenue requirement.
3. Require system-specific cost and investment information for The Resort before allowing its customers to be absorbed into statewide consolidated rates.
4. Require Aqua to disclose the quantity and cost of water purchased from the City of Fort Worth for The Resort, the amount produced from local wells, and every markup, allocator, and pass-through applied to Resort customers.
5. Require appropriate investigation of water quality and wastewater-system pressure and reliability at The Resort, and consider those conditions when setting Aqua's return and rates.
6. Prevent rate shock through a meaningful phase-in, bill-impact protections, or other mitigation—particularly for customers already receiving four-figure residential bills.
7. Reconcile the interim rates to the final approved rates and promptly credit or refund customers for all interim collections above the finally approved amounts.
8. Direct appropriate Commission staff to examine my \$1,213.94 bill and Aqua's billing and meter practices at PWS ID TX2200344.

The Rate Increase Has Produced an Unreasonable Residential Bill

Aqua placed interim rates into effect on March 9, 2026, subject to reconciliation. Aqua's interim tariff sets a \$34.90 monthly charge for a typical 5/8-inch residential meter and escalating volumetric charges of \$5.488, \$8.232, \$13.720, and \$15.092 per 1,000 gallons across four usage tiers. The tariff separately identifies The Resort as PWS ID TX2200344 and assigns it a North Region purchased-water pass-through designation. Aqua Texas, Inc.'s Notice of Effectiveness of Interim Rates and Associated Tariffs, Docket Item No. 4438 (Mar. 12, 2026).

The Proposal for Decision recognizes the severity of the impact. Commission Staff's rate analysis showed immediate residential impacts at 6,000 gallons ranging from an approximately 8% decrease to a 94.9% increase depending on rate zone. Staff recommended a five-year phase-in to mitigate rate shock. Yet the

Proposal for Decision recommends immediate implementation. Proposal for Decision, Docket Item No. 4746, at 106–08, 149 (July 21, 2026). A \$1,213.94 residential bill is not an abstraction. It is compelling evidence of the need for the Commission to examine actual bill impacts before adopting a final order.

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The Resort Requires System Specific Scrutiny

The Resort should not be treated as though it is interchangeable with hundreds of dissimilar Aqua systems. Another Resort customer informed the Commission that Aqua purchases approximately 80% of the water sold at The Resort from the City of Fort Worth and produces only approximately 20% from wells. Ratepayer Protest of Robert W. MacDonald, Docket Item

No. 902 (June 30, 2025). Because public comments are not evidence, I ask the Commission to require Aqua to supply the actual figures from its records and then determine whether the statewide allocation and rate design fairly reflect The Resort's true cost of service.

The Proposal for Decision itself records concerns that Aqua's planning documents do not establish that customers in consolidated systems receive comparable service quality or infrastructure investment. Docket Item No. 4746, at 88–89. Uniform pricing without transparent, equitable, and system-specific investment risks forcing customers in poorly served systems to pay for improvements elsewhere while their own reliability remains unacceptable.

Aqua's Service Record Does Not Justify a Premium Return

Aqua's service at The Resort has been chronically unreliable. We have experienced repeated interruptions when water was not flowing. Aqua has also had a long-running pressure problem in the wastewater line.

The Proposal for Decision acknowledges record evidence supporting concern about Aqua's documentation, accounting controls, management practices, and service. It also recognizes that Texas Water Code section 13.184(b) and 16 Texas Administrative Code section 24.41(c)(1) permit consideration of management, efficiency, conservation, and service quality when determining a fair return. Docket Item No. 4746, at 68–76. The Commission should apply those factors meaningfully, not merely recite them, and should not reward deficient service with an excessive return paid by captive customers.

A Captive Customer Has No Market Alternative

Aqua has an exclusive service position at The Resort. I cannot respond to excessive charges and inadequate service by selecting a competing water provider. That absence of competition heightens the Commission's responsibility to scrutinize Aqua's claimed costs, allocations, rate design, infrastructure spending, and requested return. Customers should not bear the risks of Aqua's acquisition and management choices while Aqua receives the economic protection of a monopoly territory.

Conclusion

I ask the Commission to protect The Resort's customers from unjustified rates and four-figure residential bills; require transparent, system-specific cost and service information; reduce Aqua's proposed return and revenue requirement to reflect its service record; mitigate rate shock; and order prompt customer credits or refunds following reconciliation of the interim rates. These comments identify matters the Commission should evaluate on the evidentiary record. I remain a protestor only and do not request intervention.

Respectfully submitted,

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