

UTILI-FACTS

Appealing a Rate Change Decision

Made by a Board of Directors, A City Council, or County Commissioners

If your water or sewer retail public utility decides to change its rates and you wish to contest the decision, you must file an appeal with the Public Utility Commission of Texas (PUC) in the form of a petition¹. Parties to a rate proceeding before the governing body of a municipality may have different appeal rights under TWC, Section 13.043(a).



The petition must be signed by 10% or 10,000 (whichever is less) of the affected ratepayers (cus-

tomers) eligible to appeal. For example, if there are more than 100,000 eligible ratepayers, the petition is valid if at least 10,000 affected ratepayers sign it.

You must send the petition to the PUC within a specific period of time, as discussed later in this publication.

Who Can Appeal a Rate Change Decision

You and your fellow ratepayers may file an appeal if you are served by one of the types of retail public utilities listed below.

Type	Who sets the rates?
Water Supply Corporations (WSC)	Board of Directors of the WSC
Water District or River Authority	Board of Directors of the District or Authority
Private- or Investor-Owned Utility Operating Inside a City	City Council
City-Owned Utility Serving Customers Outside the City	City Council
County within 50 Miles of the U.S.-Mexico Border	County Commissioners

Who Can Sign the Petition?

Each person receiving a separate bill is considered a “ratepayer.” However, you can only be considered a single ratepayer regardless of the number of bills you receive. A petition can be signed by either you as the ratepayer, or by your spouse.

What Should the Petition Say?

Each signature page of the petition should include the following:

1. A statement that the petition is an appeal of the decision that set the new rates. In the case of an investor-owned

utility (IOU) operating within a city, the petition should state that it appeals the decision that the city made on a rate change requested by the utility.

2. A short description of the rate change, noting both the old and the new rates.
3. The effective date of the rate change, the date the ratepayers were notified of the rate change, and a copy of the notice.
4. A statement about why you and your fellow ratepayers are requesting that the PUC review the decision setting the rates.
5. The name and address of an individual or organization that is willing to act as the ratepayers’ representative.
6. The mailing address and phone number of the retail public utility. In the case of an IOU operating within a city, the petition should also include the name, mailing address, and phone number of the city.

Each ratepayer signing the petition should write legibly and provide the following information:

- Name,
- Telephone number,
- Street or rural address where the utility service is received (a post office box is not sufficient), and
- Mailing address (if it differs from the address where service is received).

Please note that TWC, Section 13.043(a) allows the Commission to consider reasonable rate case expenses incurred by the retail public utility during the appeal proceedings. These costs may be passed on to the ratepayers regardless of the outcome of the case.

A sample petition appears on the back of this information sheet. This sample should only be used as a guideline. The wording underlined on the sample should be revised as needed for your petition. All the information noted above should be included in your petition.



QUESTIONS:

Call: 512-936-7405

Write:

Public Utility Commission of Texas

Water Utility Regulation Division

1701 N. Congress Ave.

P.O. Box 13326,

Austin, TX 78711-3326

