

██████████
██████████
DeBerry, TX 75639

RE: Complaint # CP2025090678

Dear ██████████:

The Consumer Protection Division (CPD) of the Public Utility Commission of Texas (PUCT) received your complaint concerning DeBerry Water Supply Corporation (DWSC) through the Office of Representative Joanne Shofner. Your complaint expressed concerns regarding disconnection of your service, alleged tampering and the utility's requirements to restore service. After receiving your complaint, we submitted a request to DWSC for a response regarding your concerns.

Response from DWSC

According to the information provided by DWSC, on 8/27/2025 it responded to a report of a leak caused by a fiber contractor on property served by several meters, including your meter. Upon arrival, DWSC turned off all the meters and identified that your premise was still receiving water.

On 8/28/2025, DWSC removed and tested all four meters and shutoff vales and confirmed that they were working correctly. DWSC identified that water at full system pressure was flowing from the customer side of your meter connection.

On 9/03/2025, DWSC excavated the meter connection and surrounding supply lines, and discovered an illegal tap/tee installed on the customer side, bypassing the meter while drawing water from DWSC's system. DWSC filed an incident/offense report with the Panola County Sheriff's Office and cut and capped the illegal tap.

DWSC stated that per its Tariff, it assessed tampering and back-billed usage charges. DWSC also required you submit a new service application, new Membership Fee, Tap Installation Fee, and Equity Buy-In Fee as well as Customer Service Inspection and Easement Filing Fees to reactivate service in your name.

DWSC restored your service within two business days of receiving your payment. DWSC maintained that it acted consistent with the provisions of its Tariff.

CPD's review.

Water Supply Corporations (WSC's) are member-owned, non-profit corporations incorporated according to the Texas Water Code Chapter 67. A WSC is governed by its Board of Directors which is elected by the WSC's members. The Board of Directors authorizes the WSC's service policies, procedures, and rates which are memorialized in the WSC's Tariff.

A WSC is a retail public utility as defined by Substantive Rule § 24.3(31) and is subject to the provisions of Substantive Rules § § 24.205(5) and 24.247(a). A WSC is not subject to the requirements of the PUCT's tampering rule, so a tampering issue within WSC's service territory would be governed by the WSC's Tariff.

According to Substantive Rule § 24.205(5), every retail public utility shall maintain its facilities to protect them from contamination, ensure efficient operation, and promptly repair leaks on its facilities. Per Substantive Rule § 24.247(a), any retail public utility which possesses or is required by law to possess a certificate of convenience and necessity or a person who possesses facilities used to provide utility service may reduce or impair utility service for nonpayment of charges, nonuse, or other similar reasons in the usual course of business without conforming to the conditions, restrictions, and limitations prescribed by the commission.

Our review of the information provided by you and DWSC found that DWSC promptly responded and addressed the leak report it received on 8/27/2025. During the course of addressing the reported leak, DWSC identified tampering and diversion of usage at your premise and disconnected the service consistent with the provisions of its Tariff. Your service was restored once you met all of DWSC's requirements for re-establishment of service. CPD determined that DWSC acted consistently with the applicable PUCT rules.

Thank you for the opportunity to address your concerns. If we can assist you with future utility concerns, please contact us through our Consumer Protection Hotline at 1-888-782-8477 or visit us online at www.puc.texas.gov.

Sincerely,

Maria M. Powers
Consumer Protection Division
Public Utility Commission of Texas

cc: DWSC