



November 18, 2010

VIA CERTIFIED MAIL & REGULAR MAIL
RETURN RECEIPT REQUESTED

Mr. Jimmy W. Janacek
4770 Vista Del Monte
El Paso, TX 79922

Re: EPWU 2011 Budget Questions Regarding the Hueco Bolson and the Desalination Plant

Dear Mr. Janacek:

Thank you for the questions referenced which were submitted to me in writing by your son-in-law at the November 15, 2010 Special Budget Review meeting of the El Paso Water Utilities Public Service Board (PSB).

As you know, the public is allowed and welcome to comment at PSB meetings under the Public Comment agenda item. However, based on the Texas Open Meetings Act, the PSB may not engage in deliberation of issues as a part of public comment because issues brought up have not been previously posted as agenda items. The PSB is pleased that you are no longer attempting to bring your questions under Rules and Regulations Number 8 since, as has been previously explained several times in written responses to you, Rule and Regulation Number 8 is not designed for the raising of general questions regarding management of the utility.

Unfortunately the questions submitted November 15, 2010 are still aimed at management decisions and attack the business philosophy of the utility. While the issues can be raised as public comment, the utility will not specifically answer any of the questions. Meetings of the PSB are not intended to provide a forum for public debate of its past management decisions. Valuable time and resources, including documentation and personal meetings with staff, have been expended in attempting to answer questions that are solely an attempt to shoehorn dissatisfaction with PSB decisions into some claim of possible Rules and Regulations violations.

Citizen Inquiry
November 18, 2010
Page 2.

The El Paso Water Utilities Public Service Board and its staff will not expend any more time and resources in this matter. To put finality to this, the Ft. Bliss joint desalination project and associated contracts for feed water, potable water and resting of Ft. Bliss fresh water wells were accomplished after a great deal of study and careful consideration of the best interest of the ratepayers of the utility. All the actions were reviewed by PSB management and attorneys and the Board is fully satisfied and will move forward with the continuing management of the utility.

While we will always welcome your public comment, we also ask for your understanding in this matter.

Sincerely,


Richard O. Martinez, Chair
EPWU Public Service Board

cc: Maria F. Teran, Vice-Chair, EPWU Public Service Board
Dr. Richard T. Schoephoerster, Secretary/Treasurer, EPWU Public Service Board
Dr. Richard C. Bonart, Member, EPWU Public Service Board
Ruth Katherine Brennand, Member, EPWU Public Service Board
John Cook, El Paso Mayor, Member, EPWU Public Service Board
Edward Escudero, CPA, Member, EPWU Public Service Board
Edmund G. Archuleta, P. E., President/CEO EPWU
Nick J. Costanzo, VP Strategic, Financial and Management Services, EPWU
John Balliew, P.E., VP Operations & Technical Services, EPWU
Christina Montoya, VP Communications, EPWU
Marcela Navarrete, CPA, Chief Financial Officer, EPWU
Robert D. Andron, J.D., General Counsel, EPWU

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