



Control Number: 42864



Item Number: 29

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**SOAH DOCKET NO. 473-14-5146.WS  
PUC DOCKET NO. 42864**

<b>WATER RATE/TARIFF CHANGE APPLICATION OF ENCHANTED HARBOR UTILITY, CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 12683, IN CALHOUN COUNTY, TEXAS</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
	<b>§</b>	
	<b>§</b>	<b>OF</b>
	<b>§</b>	
	<b>§</b>	
	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**STATUS REPORT**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Status Report.

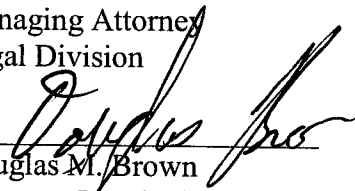
On July 29, 2014, a preliminary hearing was held for this matter. Administrative Law Judge Rebecca Smith took jurisdiction and admitted the following as parties to this proceeding: (1) Enchanted Harbor Utility; (2) the Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ); and ratepayers Keith L. Smith, Anne Clark, and Evelyn Saucier. On the same day, the parties commenced mediation that lasted throughout the month of August. In the final days of TCEQ's jurisdiction over water utility matters, the parties reached and signed a settlement agreement. On August 27, 2014, Enchanted Harbor Utility filed an uncontested Motion to Remand with SOAH with the settlement agreement attached. Staff files this Status Report to request additional time for review.

Pursuant to House Bill 1600 and Senate Bill 567, 83<sup>rd</sup> Legislature, this matter was transferred to the Public Utility Commission as of September 1, 2014. Because of the procedural complexities involved with the transfer, Staff requests that Your Honor abstain from ruling on the Motion to Remand in order to provide Staff adequate time to review the case and proposed settlement. Staff recently drafted updated settlement testimony, which the utility is currently reviewing and will ultimately be circulated to the other parties for their approval. Staff endeavors to process the case as quickly as possible; however, in the event no action is taken by September 4, 2015, Staff requests the ability to file a status update or motion to dismiss at that time. Staff has contacted Enchanted Harbor Utility, Keith Smith, Anne Clark, and Evelyn Saucier. No party

has objected, but as of the filing of this Status Report, Staff has not heard back from Mrs. Clark, Mr. Smith, or Mrs. Saucier.

Respectfully Submitted,  
Margret Uhlig Pemberton  
Division Director  
Legal Division

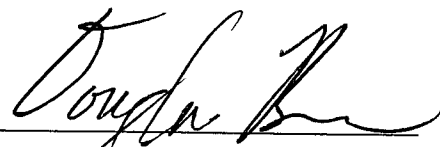
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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on July 14, 2015 in accordance with P.U.C. 16 Tex. Admin. Code 22.74.

  
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Douglas M. Brown, Attorney