

Control Number: 42867



Item Number: 9

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.

SOAH DOCKET NO. 582-13-4617
TCEQ DOCKET NO. 2013-0865-UCR

RECEIVED

2014 SEP -5 AM 9: 25

PUBLIC UTILITY COMMISS
FILING CLERK

PETITION OF NORTH AUSTIN § BEFORE THE STATE OFFICE
UTILITY DISTRICT NO. 1, §
NORTHTOWN MUNICIPAL UTILITY §
DISTRICT, TRAVIS COUNTY WATER §
CONTROL AND IMPROVEMENT §
DISTRICT NO. 10 AND WELLS § OF
BRANCH MUNICIPAL UTILITY §
DISTRICT, FROM THE RATEMAKING §
ACTIONS OF THE CITY OF AUSTIN §
AND REQUEST FOR INTERIM RATES §
IN WILLIAMSON AND TRAVIS §
COUNTIES § ADMINISTRATIVE HEARINGS

SOAH DOCKET NO. 582-14-3145
TCEQ DOCKET NO. 2014-0489-UCR

PETITION OF NORTH AUSTIN § BEFORE THE STATE OFFICE
MUNICIPAL UTILITY DISTRICT NO. §
1, NORTHTOWN MUNICIPAL §
UTILITY DISTRICT, AND WELLS §
BRANCH MUNICIPAL UTILITY §
DISTRICT FROM THE RATEMAKING § OF
ACTIONS OF THE CITY OF AUSTIN §
AND REQUEST FOR INTERIM RATES §
IN WILLIAMSON AND TRAVIS §
COUNTIES § ADMINISTRATIVE HEARINGS

CITY OF AUSTIN'S NOTICE OF FISCAL YEAR 2012 WATER RATE VERIFICATION

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, the City of Austin ("Austin"), by and through its attorneys, Webb & Webb, Attorneys at Law, and files this, its Notice of Fiscal Year 2012 Water Rate Verification, in the above styled and docketed consolidated contested case hearing. In support thereof, Austin would respectfully state as follows:

I. BACKGROUND AND NOTICE

On May 29, 2014, the Administrative Law Judge ("ALJ") at the State Office of Administrative Hearings ("SOAH") issued Order No. 9 in the above styled and docketed consolidated wholesale water rate appeal and wholesale wastewater rate appeal. The ALJ stated that Order No. 9 was "memorializing first joint prehearing conference; consolidating cases; adopting prehearing and hearing schedule; setting interim water rates; and granting city's motion to compel.

Order No. 9 includes the following ordering provision which is adverse to Austin in this contested case at Page 8:

3. Interim water rates shall be set at the rates in effect prior to the February 2013 first phase of the City's rate increase¹³, as follows. These rates shall be implemented beginning May 29, 2014, the effective date of this Order. No refund is ordered at this time for any amounts collected prior to May 29, 2014. No interim rates are set in the Wastewater Case.

PETITIONER	MONTHLY FIXED RATE	VOLUME RATE
Wells Branch MUD	\$744.00	\$3.46
Travis County WCID No. 10	\$690.00	\$3.97
Northtown MUD	\$1,050.00	\$3.57
North Austin MUD No. 1	\$1,320.00	\$3.71

¹³These rates were obtained from the Petitioners' Amended Motion to Establish Interim Rates. If there is an error in these numbers, the parties should notify the ALJ immediately.

City of Austin Water Utility staff has some concerns that these stated rates may not be accurate, and are making an effort at this time to verify the accuracy of the rates set out in Order No. 9. The concern is that for some of these Petitioners, the rates may be overstated.

II. SUMMARY AND CONCLUSIONS

CONSIDERING THE FOREGOING, THE CITY OF AUSTIN RESPECTFULLY REQUESTS the Honorable Administrative Law Judge note that the City of Austin will determine the accuracy of the rates stated, and notify the ALJ as quickly as possible regarding the accurate Fiscal Year 2012 water rates for Petitioners.

Respectfully submitted,

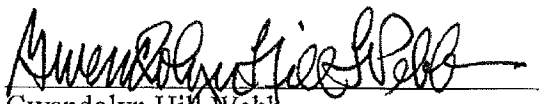
CITY OF AUSTIN

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ATTORNEY FOR CITY OF AUSTIN

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested on all parties whose names appear on the attached mailing list on this the 30th day of May, 2014.

FOR JUDGE SHENOY:

Honorable Pratibha J. Shenoy
Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Suite 504
Austin, Texas 78701
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Fax: 512-322-2061
via Electronic Upload

FOR THE SOAH DOCKET CLERK:

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