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REQUEST BY EDE AND RANDY
BULLOCK FOR DETERMINATION OF
RCH WATER SUPPLY
CORPORATION'S COMPLIANCE
WITH TEXAS WATER CODE § 13.004
(37766-I)

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PUBLIC UTILITY COMMISSION

2016 APR 6 AM 11:30
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S EXCEPTIONS

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Exceptions, and would show the following:

I. BACKGROUND

On March 16, 2016, a Proposed Order was issued in this proceeding. Exceptions or corrections to the Proposed Order must be filed on or before April 6, 2016.

II. STAFF'S EXCEPTIONS


Staff agrees with the Proposed Order and its final recommendation. However, Staff excepts to Conclusion of Law No. 1. This conclusion states: "The Commission has jurisdiction over this matter pursuant to [Texas Water Code] § 13.004." This conclusion is inconsistent with Ordering Paragraph No. 1, which correctly dismisses this proceeding because the Commission lacks jurisdiction to address the complaint under Texas Water Code (TWC) § 13.004. Conclusion of Law No. 1 should be revised to indicate that the Commission has the authority to investigate the complaint, but not indicate that the Commission has jurisdiction in this proceeding. Staff proposes to revise Conclusion of Law No. 1 to state: "The Commission investigated the complaint pursuant to TWC § 13.004(a)."

Dated: April 6, 2016

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director – Legal Division

Karen S. Hubbard
Managing Attorney – Legal Division



Jason Haas

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 6, 2016, in accordance with 16 Tex. Admin. Code § 22.74.


Jason Haas