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DOCKET NO. 43121

**INVESTIGATION PURSUANT TO §
TEXAS WATER CODE § 13.004 OF RCH §
WATER SUPPLY CORPORATION, CCN §
NO. 10087 IN ROCKWALL COUNTY, §
TEXAS #37766-I §**

2015 APR -1 PM 3:47
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S REQUEST FOR A PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Request for a Procedural Schedule, and would show the following:

I. BACKGROUND

On October 14, 2013, Ede and Randy Bullock (Petitioners) filed a petition with the Texas Commission on Environmental Quality (TCEQ) to investigate RCH Water Supply Corporation (RCH) pursuant to TEX. WATER CODE (TWC) § 13.004. On November 26, 2013, the TCEQ notified the Petitioners that the petition had been accepted for filing. On December 6, 2013, counsel for RCH WSC filed a letter with the TCEQ contending that RCH could not respond to the petition because it was factually deficient and RCH could not determine what allegations were made.¹

On September 1, 2014, the Commission began the economic regulation of water and sewer utilities and this case was transferred from the TCEQ to the Commission for further review. On September 15, 2014, this case was filed in the Commission's Central Records Division interchange. On March 20, 2015, the Petitioners filed a letter with the Commission providing additional details regarding their request to investigate RCH. Specifically, the Petitioners allege various violations of the TWC and seek to resolve an underlying billing issue.

¹ Letter to Heidi Graham from Attorney Arturo D. Rodriguez, Jr. in Regards to RCH Water Supply Corporation (Dec. 6, 2013) (PUC Interchange Item 4).

The petitioners have filed their request under TWC § 13.004 and P.U.C. SUBST. R. 24.35, which provides the Commission with jurisdiction over water supply corporations under certain conditions.²

II. REQUEST FOR A PROCEDURAL SCHEDULE

In light of the procedural posture of this case, including the most recent letter filed by the Petitioners, Staff respectfully requests that the administrative law judge (ALJ) issue a procedural schedule requiring RCH to file a response, and Staff to file a statement of position. Staff proposes the following procedural schedule:

| | |
|---|----------------|
| Deadline for RCH to file a response to the petition | April 22, 2015 |
| Deadline for Staff to file a statement of position | May 6, 2015 |

III. CONCLUSION

Staff respectfully requests that the ALJ issue an order setting a procedural schedule as described in this pleading.

² TWC § 13.004 states in relevant part:

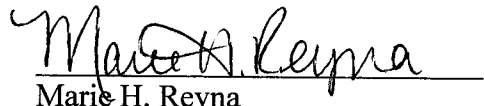
- (a) Notwithstanding any other law, the utility commission has the same jurisdiction over a water supply or sewer service corporation that the utility commission has under this chapter over a water and sewer utility if the utility commission finds that the water supply or sewer service corporation:
- (1) is failing to conduct annual or special meetings in compliance with Section 67.007; or
 - (2) is operating in a manner that does not comply with the requirements for classifications as a nonprofit water supply or sewer service corporation prescribed by Sections 13.002(11) and (24).

Dated: April 1, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

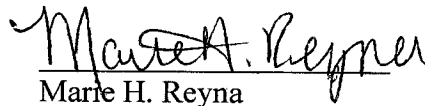
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 1, 2015, in accordance with P.U.C. Procedural Rule 22.74.


Marie H. Reyna