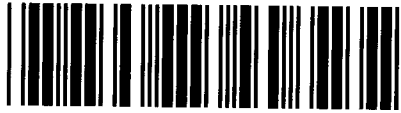


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INVESTIGATION PURSUANT TO §  
 TEXAS WATER CODE § 13.004 OF RCH §  
 WATER SUPPLY CORPORATION, CCN §  
 NO. 10087 IN ROCKWALL COUNTY, §  
 TEXAS #37766-I §

2015 AUG -7 PM 2: 37  
 PUBLIC UTILITY COMMISSION  
 PUBLIC UTILITY COMMISSION  
 FILING CLERK  
 OF TEXAS

### COMMISSION STAFF'S ADDITIONAL 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 Additional 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.<sup>1</sup>

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.

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.<sup>2</sup> On April 1, 2015, Commission Staff filed a request for a procedural schedule. No

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

<sup>2</sup> TWC § 13.004 states in relevant part:

order has been issued in this docket adopting or rejecting that proposed procedural schedule. Staff therefore respectfully renews its request that a procedural schedule be adopted in this docket.

## **II. REQUEST FOR A PROCEDURAL SCHEDULE**

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	August 28, 2015
Deadline for Staff to file a recommendation on how this docket should be processed	September 18 2015

## **III. CONCLUSION**

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

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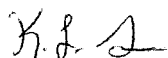
(a) Notwithstanding any other law, the utility commission has the same jurisdiction over a water supply or sewer service corporation that the utility commission has under this chapter over a water and sewer utility if the utility commission finds that the water supply or sewer service corporation:

- (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).

Respectfully Submitted,

Margaret Uhlig Pemberton  
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Managing Attorney-Legal Division



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Austin, Texas 78711-3326

**DOCKET NO. 43121**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on August 7, 2015, in accordance with 16 TAC 22.74.



Katherine Lengieza Gross