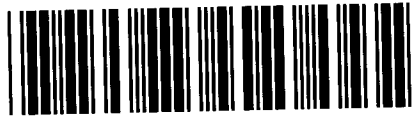


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COMPLAINT OF CAROL D. § PUBLIC UTILITY COMMISSION  
GILLESPIE AGAINST AVALON §  
WATER SUPPLY AND SEWER § OF TEXAS  
SERVICES CORPORATION (37985-1) §

FILED  
FILING CLERK

**COMMISSION STAFF'S LIST OF ISSUES**

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

**I. BACKGROUND**

On January 25, 2016, this proceeding was referred to the State Office of Administrative Hearings (SOAH). The Order Or Referral required that Carol D. Gillespie and Avalon Water Supply and Sewer Services Corporation (Avalon), shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by February 16, 2016.

**II. LIST OF ISSUES**

Staff has identified the following issues that should be addressed in this proceeding:

1. Is Avalon failing to conduct its annual or special meetings in compliance with Texas Water Code § 67.007?
2. Is Avalon operating in a manner that fails to comply with the requirements for classifications as a nonprofit water supply or sewer service corporation as prescribed by Texas Water Code §§ 13.002(11) and (24)?
  - a. Under the definition of "water supply or sewer service corporation" set out in Texas Water Code § 13.002(24), is Avalon a nonprofit corporation organized under Texas Water Code Ch. 67 that provides potable water service and sewer service for compensation? Has Avalon adopted and is operating in accordance with by-laws or articles of incorporation which ensure that it is member-owned and member-controlled?

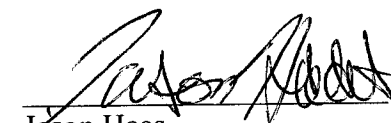
3. If the Commission has jurisdiction over Avalon under Texas Water Code § 13.004, how should the Commission resolve Ms. Gillespie's complaint?

**Dated: February 16, 2016**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

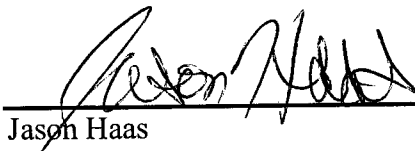
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Austin, Texas 78711-3326

### **CERTIFICATE OF SERVICE**

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



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Jason Haas