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PUBLIC UTILITY COMMISSION
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OF TEXAS

APPEAL OF M.E.N. WATER SUPPLY §
CORPORATION, ANGUS WATER §
SUPPLY CORPORATION, §
CHATFIELD WATER SUPPLY §
CORPORATION, CORBET WATER §
SUPPLY CORPORATION, AND THE §
CITY OF KERENS FOR REVIEW OF §
A DECISION BY THE CITY OF §
CORSICANA TO SET WHOLESALE
WATER RATES

COMMISSION STAFF'S LIST OF ISSUES

COMES NOW the Staff (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 December 9, 2014, M.E.N. Water Supply Corporation, Angus Water Supply Corporation, Chatfield Water Supply Corporation, Corbet Water Supply Corporation, and the City of Kerens (collectively, Petitioners) filed an Appeal for Review of a Decision by the City of Corsicana to set Wholesale Water Rates and Request for Interim Rates (Petition) pursuant to TEX. WATER CODE ANN. § 13.043. The Petition challenges the City of Corsicana's increase in its wholesale water rates effective December 1, 2014. On December 12, 2014, Staff recommended this docket be referred to the State Office of Administrative Hearings (SOAH) because the Petition met the requirements of P.U.C. SUBST. R. 24.130. On December, 15, 2014, this proceeding was referred to SOAH and the Order of Referral required the interested parties to file with the Commission a list of issues to be addressed in this docket by January 12, 2015. Therefore, this Response is timely filed.

II. LIST OF ISSUES

The applicable provisions of the rules for this type of case are P.U.C. SUBST. R. 24.130 to 24.138. Staff has identified the following issues to be addressed in this proceeding:

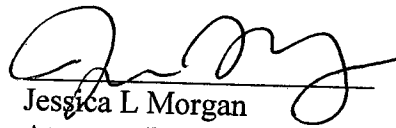
1. Is the rate set by the City of Corsicana a rate charged pursuant to a written contract?

- a. If so, have the Petitioners met their burden of proof under P.U.C. SUBST. R. 24.136, by demonstrating that the rate set by the City of Corsicana adversely affects the public interest by violating at least one of the public interest criteria listed in P.U.C. SUBST. R. 24.133(a)?
 - i. If the rate does not affect the public interest, what are the bases for determining that the rate does not adversely affect the public interest, as required by P.U.C. SUBST. R. 24.133(a)?
 - ii. If the rate does affect the public interest, what are the bases for determining that the rate adversely affects the public interest, as required by P.U.C. SUBST. R. 24.134(e)?
 - b. If the rate is not charged pursuant to a written contract, has the City of Corsicana met its burden of proof under P.U.C. SUBST. R. 24.136, by showing that its cost of service supports imposition of the rate pursuant to P.U.C. SUBST. R. 24.131(c) and 24.135?
2. Should interim rates be established pursuant to TEX. WATER CODE ANN. § 13.043(h)?
If so, what is the appropriate interim rate?

Dated: January 12, 2015

Respectfully Submitted,
Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

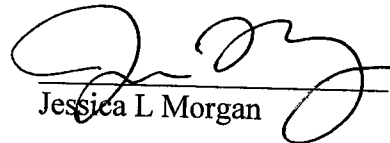


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PUC DOCKET NO. 43931
SOAH DOCKET NO. 473-15-1626.WS

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this January 12, 2015 in accordance with P.U.C. Procedural Rule 22.74.



Jessica L Morgan