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SOAH DOCKET NO. 473-15-2123.WS
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PETITION OF THE RATEPAYERS
OF THE RIVER PLACE WATER AND
WASTEWATER SYSTEMS FOR
REVIEW OF A DECISION BY THE
CITY OF AUSTIN TO CHANGE
RETAIL RATES

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BEFORE THE STATE OFFICES

OF

ADMINISTRATIVE HEARINGS

PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S INITIAL RESPONSE TO PETITIONERS' MOTION FOR
PARTIAL SUMMARY DECISION AND BRIEF IN RESPONSE TO ORDER NO. 4**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Initial Response to Petitioners' Motion for Partial Summary Decision and Brief in Response to Order No. 4 and would show the following:

I. BACKGROUND

On April 14, 2015, Petitioners filed their Motion for Partial Summary Decision and Brief in Response to Order No. 4 (Motion) pursuant to Title 16, TEX. ADMIN. CODE (16 TAC) § 22.182(a), alleging that there are no genuine issues as to any material fact relating to the City of Austin's water and wastewater rate change effective on October 1, 2014 and that proper notice of the October 1, 2014 rate change was not provided. This Response is timely filed.¹

**II. STAFF'S INITIAL RESPONSE TO PETITIONERS' MOTION FOR PARTIAL SUMMARY
DECISION**

Staff files this initial response as a notification that Staff intends to file a substantive response to the Petitioners' Motion for Partial Summary Decision. Pursuant to 16 TAC § 22.182(c), any response to a motion for summary decision shall be filed within the time set by the presiding officer. At the time of this filing, the administrative law judge has not yet set a deadline for responses to Petitioners' motion. Staff intends to file a substantive response to the motion within the time set by the presiding officer, pursuant to 16 TAC § 22.182(c).

¹ Pursuant to 16 TAC § 22.2(c), responses to a motion for summary decision shall be filed within the time set by the presiding officer. As no time has been set in this proceeding, Staff files its response in accordance with the five working day response deadline for motions pursuant to 16 TAC § 22.78(a).

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DATE: April 21, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Shelah J. Cisneros
Managing Attorney
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Jessica A. Gray *Up mission*

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the April 21, 2015 in accordance with Public Utility Commission of Texas Procedural Rule 22.74.

Jessica A. Gray
Jessica A. Gray, Attorney

Shelah J. Cisneros