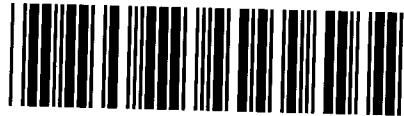


Control Number: 44236



Item Number: 80

Addendum StartPage: 0

SOAH DOCKET NO. 473-15-4944.WS  
PUC DOCKET NO. 44236

APPLICATION OF §  
CUSTOM WATER COMPANY, LLC §  
FOR A WATER RATE/TARIFF CHANGE §

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

RECEIVED  
2015 OCT 13 AM 10:40  
PUBLIC UTILITY COMMISSION  
FILING CLERK

WRITTEN RESPONSE TO  
COMMISSION STAFF'S MOTION TO STRIKE AND RESCHEDULE

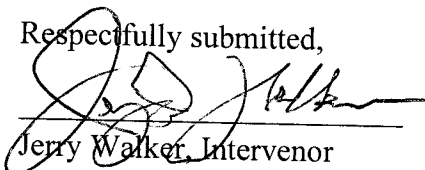
**COMES NOW** the Commission Staff of the Public Utility Commission of Texas, representing the public interest, and PUC made the Motion to Strike the Letter from CPA Cris Lemon from Direct Case of Custom Water Company, LLC (CWC). Furthermore, PUC requests that CWC be given an opportunity to "resubmit its direct case" and that the procedural schedule be modified to CWC's re-submittal of revised testimony.

Jerry D. Walker, Intervener, agrees with Staff's Motion to Strike the direct case testimony presented by CPA Cris Lemon. However, Intervener disagrees with granting CWC an opportunity to resubmit their direct case and to change the procedural schedule to accommodate this resubmission. Intervener would argue that in Order No. 1, the Administrative Law Judge (ALJ) set a deadline of September 24, 2015 for CWC to file its direct case. The entire procedural schedule with all dates had been approved by ALJ and all applicable parties. To grant this accommodation to CWC at this time would "seriously" set back the entire procedural schedule and would potentially extend the schedule into the Holidays. The original schedule was set up and approved by all parties with the intention of avoiding this very problem. We would respectfully request that the schedule stay on track as it is currently and that no changes be made to accommodate CWC who has shown little regard for filing any motions, rebuttals, or responses to this entire proceeding since the original petition.

As Intervener, I would state to the Court and to the PUC that Custom Water Company LLC has failed to address the real issues of presenting legitimate "cost analysis" of its operation to the Court in a manner sufficient to support the proposed Rate Tariff Increase that has been requested. I propose that their request be summarily denied in full.

COMMISSION STAFF'S LETTER WAS RECEIVED BY INTERVENOR ON 10-9-15.

Respectfully submitted,

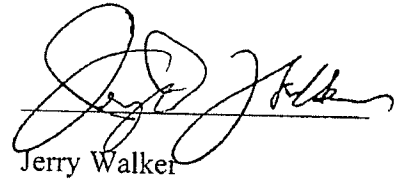
  
Jerry Walker, Intervenor  
(940) 782-2527

2 Red Bluff  
Wichita Falls, TX 76255

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 12, 2015 in accordance with 16 TAC § 22.74.



Jerry Walker