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October 30, 2015

State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street  
Austin, Texas 78701

*Via Facsimile*  
**512.475.4994**

Re: SOAH Docket No. 473-15-4944.WS and PUC Docket No. 44236; Application of Custom Water Company, LLC for a Water Rate/Tariff Change; Before the State Office of Administrative Hearings

Dear Sir or Madam:

The undersigned represents Custom Water Company, LLC ("Custom Water" or "Applicant") concerning the referenced matter. Please copy the undersigned on any future filings in this matter.

The undersigned has reviewed a number of the filings in this Application since Friday, October 23, 2015, and has determined that Custom Water should withdraw its Application pursuant to 16 TEX. ADMIN. CODE §22.181(b). The undersigned has conferred with Mr. Eddie Fenoglio, the principal/owner of Custom Water, and it is apparent that this very small water utility (only 248 customers) did not have sufficient resources to hire competent water utility rate consultants. It will be necessary for Custom Water to hire competent and experienced water utility rate consultants in order to pursue an application for a rate change; with the benefit of hindsight, Mr. Eddie Fenoglio, on behalf of Applicant, agrees with this assessment.

Accordingly, Custom Water submits that because it is a very small water utility, did not understand the rate filing requirements and did not have sufficient resources to hire competent and experienced water utility rate consultants, good cause exists to allow Custom Water to withdraw its pending Application.

If Your Honor grants Applicant's request, it will be necessary to address the higher rates that were charged by Applicant from March 20, 2015 to September 22, 2015. The higher rates (a monthly base rate of \$54.43 for a residential 5/8" or 3/4" meter size, including 1,000 gallons and \$7.00 per 1,000 gallons used over the first 1,000 gallons) was canceled as a result of SOAH Order No. 2. Thus, if Custom Water's request is granted, Applicant will refund or credit to its customers the

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