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REQUEST BY MARYANNE THERIOT §  
PURSUANT TO TEXAS WATER CODE §  
§ 13.004 REGARDING ETOILE WATER §  
SUPPLY CORPORATION §

PUBLIC UTILITY COMMISSION  
2016 APR 9 AM 11:30  
PUBLIC UTILITY COMMISSION  
OF TEXAS FILING CLERK

**COMMISSION STAFF'S EXCEPTIONS**

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

**I. BACKGROUND**

On March 17, 2016, a Proposed Order was issued in this proceeding. Exceptions or corrections to the Proposed Order must be filed on or before April 6, 2016.

**II. STAFF'S EXCEPTIONS**

Staff agrees with the Proposed Order and its final recommendation. However, Staff excepts to Conclusion of Law No. 1. This conclusion states: "The Commission has jurisdiction over this matter pursuant to [Texas Water Code] § 13.004." This conclusion is inconsistent with Ordering Paragraph No. 1, which correctly dismisses this proceeding because the Commission lacks jurisdiction to address the complaint under Texas Water Code (TWC) § 13.004. Conclusion of Law No. 1 should be revised to indicate that the Commission has the authority to investigate the complaint, but not indicate that the Commission has jurisdiction in this proceeding. Staff proposes to revise Conclusion of Law No. 1 to state: "The Commission investigated the complaint pursuant to TWC § 13.004(a)."

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**Dated: March 6, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director - Legal Division

Karen S. Hubbard  
Managing Attorney – Legal Division



Jason Haas  
Attorney-Legal Division  
State Bar No. 24032386  
(512) 936-7295 (telephone)  
(512) 936-7268 (facsimile)  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on March 6, 2015, in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas