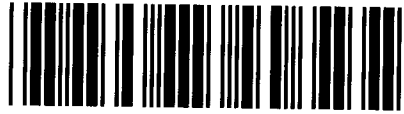


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DOCKET NO. 45207

**COMPLAINT OF J. HINKEN AGAINST §
BASTROP WEST WATER AND PAUL §
KLAUS §**

PUBLIC UTILITY COMMISSION

OF TEXAS

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PUBLIC UTILITY COMMISSION
CLERK

COMMISSION STAFF'S PROPOSED LIST OF ISSUES

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

I. BACKGROUND

On September 30, 2015, J. Hinken (Complainant) filed a complaint against Bastrop West Water and its owner, Paul Klaus (BWW) alleging that BWW improperly pursued charges against Complainant for costs related to damage to BWW's waterline and for fees related to the installation of a meter on a property adjacent to and formerly owned by the Complainant.

On November 9, 2015, the Commission issued an Order of Referral to the State Office of Administrative Hearings (SOAH). The Order of Referral stated that by November 30, 2015, Staff may file with the Commission a list of issues to be addressed in this docket. This list of issues is therefore timely filed.

II. LIST OF ISSUES

Staff submits the following issues for consideration in this proceeding:

1. Did BWW improperly bill Complainant for service prior to Complainant requesting service on March 13, 2014, resulting in overbilling pursuant to 16 TAC § 24.87(h)?
2. What is the proper costs or fees associated with the installation of the new meter on the adjacent property pursuant to 16 TAC § 24.86, and is Complainant responsible for any portion of these costs or fees?

3. Did BWW improperly charge Complainant costs for repairs pursuant to 16 TAC § 24.87(o)?
4. Does the invoice presented to Complainant from BWW for the costs associated with the repair to the waterline comply with 16 TAC § 24.87(o)?

III. ISSUES NOT TO BE ADDRESSED

Staff submits that the following issues should not be considered in this proceeding:

1. Complainant asserts that BWW has required the new owners of property previously owned by Complainant to pay the amount BWW claims it is owed by Complainant before BWW will provide water service to them.¹ Whereas the new owners, Anastacio & Laura Reyna, are not parties to this complaint, this issue should not be addressed.
2. Complainant asserts that BWW is not certificated to provide water service to the adjacent property.² Whereas no other utility is a party to this complaint, and this issue is not germane to the monetary remedies Complainant seeks, this issue should not be addressed.

¹ Complaint at 2 (Sep. 30, 2015).

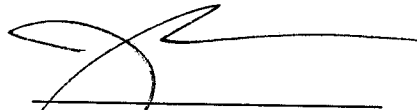
² *Id.*

DATE: November 30, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Katherine Lengieza Gross
Managing Attorney
Legal Division




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Attorney-Legal Division
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Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

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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 November 30, 2015 in accordance with 16 TAC § 22.74.


Jason Aldridge