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DOCKET NO. 45231

**RATEPAYERS' APPEAL OF THE
DECISION BY TROPHY CLUB
MUNICIPAL UTILITY DISTRICT
NO. 1 TO CHANGE RATES**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 3
ADDRESSING MOTION TO DISMISS AND AFFORDING TIME TO CURE;
ESTABLISHING DEADLINES/PROCEDURAL SCHEDULE**

I. Application

On October 8, 2015, retail customers of Trophy Club Municipal Utility District No.1 (TCMUD) filed a petition pursuant to § 13.043(b) of the Texas Water Code to appeal the decision of TCMUD to change their rates.

II. Motion to Dismiss and Deadline to Cure

On November 9, 2015, TCMUD filed comments regarding the ratepayers' appeal, arguing that the petition failed to specify the date of the action being appealed and therefore should be dismissed. On December 11, 2015, Public Utility Commission of Texas (Commission) Staff recommended that TCMUD's Motion to Dismiss be denied because the omission was immaterial and TCMUD had sufficient information to determine the rate action being appealed. Commission Staff also recommended that the TCMUD ratepayers be afforded an opportunity to cure the omission. Consistent with Commission Staff's recommendation, TCMUD's motion to dismiss is denied. Further, TCMUD ratepayers are afforded until **January 11, 2016**, to cure the petition to include the date of the rate action being appealed.

III. Commission Staff Deadline and Additional Procedural Schedule

On November 10, 2015, a Public Improvement District (PID) Petition to Appeal Rates Established by the Board of Directors was filed in this docket. TCMUD filed a motion to sever as the PID is an appeal by individuals who are residents of the Trophy Club PID and lack standing. Within its December 11, 2015 recommendations, Commission Staff stated whether the Trophy Club PID ratepayers have standing in this proceeding requires further factual development; once the record has been further developed, a recommendation concerning the standing of the Trophy Club PID

ratepayers can be offered. Accordingly, Commission Staff is afforded until **January 22, 2016**, to further develop the record and provide a recommendation whether the PID appeal should be severed from the instant proceeding.

Additional deadlines and/or procedural schedule will be established at a future date.

SIGNED AT AUSTIN, TEXAS on the 21st day of December 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE