



Control Number: 45231



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

PUBLIC UTILITY COMMISSION  
OF TEXAS

**TCMUD 1 RATEPAYERS RESPONSE  
TO MUD 1'S MOTION TO SEVER PID PETITION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Comes now the representative *pro se* (Representative) for the ratepayers of Trophy Club Municipal Utility District 1 (MUD 1), and files this Response to the MUD 1's motion to sever the Public Improvement District (PID) ratepayers petition. In opposition thereof, Representative would show the following:

**I. BACKGROUND**

On March 7, 2016, the Administrative Law Judge (ALJ) issued Order No. 3 allowing the parties to provide further briefing on the pending motion to sever the PID ratepayers from this case. Filing of reply briefs with the Commission to be accomplished by April 4, 2016. Therefore, this brief is timely filed.

**II. RATEPAYERS RESPONSE**

The Trophy Club Municipal District No. 1's March 21, 2016 briefing does not address the over-riding retail nature of the agreement as stated in Article VII of the "Contract for Water Supply and Wastewater Treatment" as amended and dated April 15, 2014.

In that agreement, Article VII Billing and Payment, Section 7.1 Retail Customer Charge second sentence states: "Except as provided in Section 7.1 (d) below, the Town Rate Order shall be identical to the existing MUD Rate Order."

Article VII Section 7.1 (d) last sentence states: "Notwithstanding any provision to the contrary, Town agrees that the volumetric rates for water and wastewater service to Town Customers under the Town Rate Order must be identical to the MUD volumetric rates for water and wastewater services under the MUD Rate Order, and the Town Surcharge shall not be a gallonage charge (and instead shall be a fixed sum)."

**III. CONCLUSION**

The District originates the volumetric rates for water and wastewater customers in the PID. The Town is precluded by agreement from modifying or establishing volumetric

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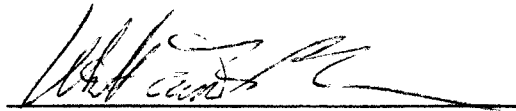
rates for water and wastewater services. Therefore, as set forth in Article VII, for volumetric rates for water and wastewater services, the PID ratepayers are retail customers of the District and therefore have standing to appeal the District's retail rates.

**IV. PRAYER**

The MUD 1 ratepayers respectfully request that the PID Petition remains with the filings in P.U.C. DOCKET NO. 45231 and SOAH DOCKET NO. 473-16-1836-WS and that party status in this proceeding be granted to the PID ratepayers.

**Dated: MARCH 29, 2016**

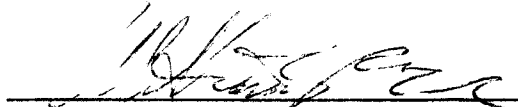
Respectfully Submitted



William C. Rose  
TCMUD 1 Ratepayers Representative  
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Trophy Club, TX 76262

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record on March 29, 2016, in the following manner: First Class U.S. mail and/or Certified Mail Return Receipt Requested.



William Rose