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PUBLIC UTILITY COMMISSION  
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FILING CLERK  
OF TEXAS

APPLICATION OF RANKIN PARK  
MAINTENANCE & UTILITIES  
COMPANY FOR CLASS B  
RATE/TARIFF CHANGE

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**JOINT MOTION TO ABATE THE PROCEDURAL SCHEDULE AND TO  
MODIFY INTERIM RATES**

COMES NOW the Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”), representing the public interest and on behalf of Rankin Park Maintenance & Utilities Company (“Rankin”), and files this Joint Motion for the Approval of Interim Rates.

**I. BACKGROUND**

On January 4, 2016, Rankin filed an application for a rate/tariff change with a proposed effective date of March 1, 2016. On February 11, 2016, Order No. 2 was entered, finding the application to be administratively incomplete.

On February 26, 2016, Rankin filed a supplement to its application, including a revised proposed notice with a revised proposed effective date of May 1, 2016.

On March 30, 2016, Order No. 3 was entered, approving the proposed effective date requiring Staff to file a final recommendation or request a hearing by August 15, 2016. On April 26, 2016, Order No. 4 was entered, approving interim rates to be charged by Rankin during the pendency of this proceeding.

The only parties to this proceeding are Staff and Rankin. The parties have reached an agreement in principle and now timely file the below motions in order to permit the parties time to draft a stipulation consistent with the parties’ agreement.

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## II. JOINT MOTION TO ABATE THE PROCEDURAL SCHEDULE

The parties respectfully request that the procedural schedule in this proceeding be abated in order to permit additional time to draft a stipulation consistent with the parties' agreement. The parties propose to file a status report or a stipulation and proposed order by September 9, 2016.

In addition, the parties note that the Commission is permitted to set this matter for a hearing within 120 days of the effective date of the rate change.<sup>1</sup> The parties respectfully request that the effective date of the proposed rate change be suspended until the parties file a status report or a stipulation and proposed order pursuant to 16 TAC § 24.26, which would prevent this 120-day deadline from continuing to toll.

## III. JOINT MOTION TO MODIFY TEMPORARY RATES

The parties respectfully request that the presiding officer modify the interim rates approved in Order No. 4. The Commission's rules permit the establishment of interim rates to remain in effect until a final decision is made in a ratemaking proceeding.<sup>2</sup> Staff and Rankin are the only parties to this docket and have agreed to request that the Administrative Law Judge approve interim minimum bill and gallonage rates to be charged by Rankin beginning on the first day of the first complete billing period following the entry of an order approving this motion. These interim rates are lower than the presently approved interim rates and would be charged instead of the interim rates presently charged by Rankin. The proposed interim rates are described in the below table as well as in the draft tariff sheets attached to this motion as Attachment A:

<b>Monthly Minimum Charges</b>		
Meter Size	Water Monthly Minimum Charge	Sewer Monthly Minimum Charge
5/8" or 3/4"	\$45.60	\$37.10
1"	\$76.00	\$61.83
1½"	\$152.00	\$123.65
2"	\$243.20	\$197.84
3"	\$456.00	\$37.95

<sup>1</sup> 16 Tex. Admin. Code § 24.28(c)(1) ("TAC").

<sup>2</sup> 16 TAC § 24.29(a).

<b><u>Gallonge Charges</u></b>	
Water	\$3.00 per 1,000 gallons
Sewer	\$3.00 per 1,000 gallons

Staff recommends that the proposed interim rates are consistent with the requirements of the Commission's rule<sup>3</sup> and are consistent with the public interest. In particular, the approval of interim rates would reduce the extent of or possibly eliminate the need for any refund that may be credited to Rankin's customers based on the difference between Rankin's proposed rates and the rates that will ultimately be adopted in this proceeding. This has the effect of decreasing the potential for economic hardship for Rankin that would result from being required to calculate and provide for such a refund.

If interim rates are approved in this proceeding, Staff and Rankin propose that Rankin provide notice to its customers with the first billing at the interim rate consistent with the Commission's rule.<sup>4</sup>

### **III. CONCLUSION**

Staff respectfully requests the entry of an order consistent with the above discussion.

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<sup>3</sup> See 16 TAC § 24.29(d). Specifically, the Commission's rule states that interim rates may be established when, *inter alia*, failure to set interim rates could result in an unreasonable economic hardship on the utility. *Id.*

<sup>4</sup> See 16 TAC § 24.29(j).

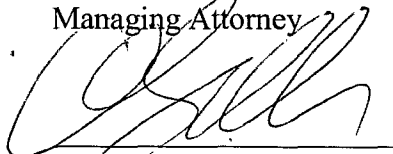
Date: August 12, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

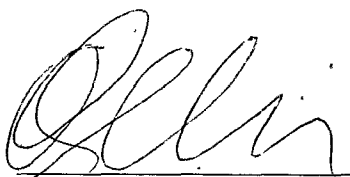
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**DOCKET NO. 45491  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on August 12, 2016 in accordance with 16 TAC § 22.74.



A. J. Smullen

# Attachment A – Draft Tariff Sheets

**SECTION 1.0 – WATER RATE SCHEDULE**

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u> (Includes 0 gallons all meters)	<u>Gallonage Charge</u>
5/8" or 3/4"	<u>\$45.60</u>	<u>\$3.00</u> per 1,000 gallons
1"	<u>\$76.00</u>	
1½"	<u>\$152.00</u>	
2"	<u>\$243.20</u>	
3"	<u>\$456.00</u>	

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash , Check , Money Order , MasterCard , Visa , Electronic Fund Transfer   
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

REGULATORY ASSESSMENT .....1.0%  
PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ).

**SECTION 1.0 – SEWER RATE SCHEDULE**

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u> (Includes 0 gallons all meters)	<u>Gallonge Charge</u>
5/8" or 3/4"	<u>\$37.10</u>	<u>\$3.00</u> per 1,000 gallons
1"	<u>\$61.83</u>	
1½"	<u>\$123.65</u>	
2"	<u>\$197.84</u>	
3"	<u>\$370.95</u>	

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash , Check , Money Order , MasterCard , Visa , Electronic Fund Transfer   
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

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