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**DOCKET NO. 45645**

**COMPLAINT OF MONICA BRIEGER §  
AGAINST SWWC UTILITIES, INC. §  
D/B/A HORNSBY BEND UTILITY §**

**PUBLIC UTILITY COMMISSION 3:15  
OF TEXAS PUBLIC UTILITY COMMISSION  
FILING CLERK**

**ORDER NO. 2  
ADDRESSING HORNSBY BEND UTILITY'S RESPONSE,  
COMMISSION STAFF'S STATEMENT OF POSITION, AND  
REQUIRING RESPONSES TO SUPPLEMENTAL COMPLAINT**

This Order addresses SWWC Utilities, Inc. d/b/a Hornsby Bend Utility's response to the complaint, Commission Staff's statement of position in the complaint, and Monica Brieger's supplemental complaint. Deadlines are established for Hornsby and Commission Staff to respond to Ms. Brieger's supplemental complaint.

Hornsby responded to Ms. Brieger's original allegations, stating that (1) the Commission has jurisdiction, (2) the misallocation of funds were corrected for Ms. Brieger's account, (3) the utility's H2O catastrophic assistance requirements were not met; (4) the callback offer was denied by Ms. Brieger; (5) the disconnection issue was resolved; and (6) the charges for water service, late fees, due date, and deferred payment plan options were consistent with its currently-approved tariff. Hornsby requested, following Commission consideration, that the docket be closed.

Commission Staff verified that Ms. Brieger complied with all of the requirements for informal resolution,<sup>1</sup> by filing an informal complaint referenced in the Commission's Customer Protection Division (CPD) Records as CP2016010653. The CPD was unable to resolve her complaint and the investigation was closed on February 12, 2016. Consistent with Commission Staff's recommendation, Ms. Brieger met the informal resolution requirements regarding this proceeding.

Commission Staff recommended that, at this time, no actionable grievances exist upon which a remedy can be provided to Ms. Brieger. However, Commission Staff stated that Ms. Brieger indicated telephonically she intended to file a supplement to her original complaint.

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<sup>1</sup> 16 Texas Administrative Code (TAC) § 22.242(c) (TAC).

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Commission Staff stated it was unopposed and reserved the right to file additional comments if new evidence is presented.

Ms. Brieger filed a supplement to her complaint on March 23, 2016. It appears that some new evidence may have been presented.

Hornsby shall file a response to Ms. Brieger's supplemental complaint on or before **April 14, 2016**.

Commission Staff shall file a supplemental position statement on or before **April 21, 2016**.

SIGNED AT AUSTIN, TEXAS the 24<sup>th</sup> day of March 2016.

PUBLIC UTILITY COMMISSION OF TEXAS

  
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SUSAN E. GOODSON  
ADMINISTRATIVE LAW JUDGE