



Control Number: 46047



Item Number: 13

Addendum StartPage: 0

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MARK GROBA'S APPEAL OF THE
COST OF OBTAINING SERVICE
FROM NOACK WATER SUPPLY
CORPORATION IN WILLIAMSON
COUNTY

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PUBLIC UTILITY COMMISSION

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PUBLIC UTILITY COMMISSION
FILING CLERK

OF TEXAS

COMMISSION STAFF'S RESPONSE TO HEARING REQUEST

COMES NOW the Staff of the Public Utility Commission of Texas (Commission), representing the public interest and files this Response to Hearing Request, and would show the following:

I. BACKGROUND

On June 9, 2016, Mark Groba filed a petition with the Public Utility Commission of Texas (Commission) appealing the decision of Noack Water Supply Corporation (Noack WSC) for the cost of obtaining service. On December 1, 2016, Mr. Groba filed a request for a hearing on "taking out [his] water tap." On January 4, 2017, Order No. 4 was issued, requiring that Noack WSC and Staff file a response to the hearing request by January 25, 2017. Accordingly, this response is timely filed.

II. RESPONSE

Staff does not believe a hearing is necessary and that this docket should be dismissed. On October 11, 2016, Staff filed a recommendation that Noack WSC is correctly applying its tariff to Mr. Groba's request for service with respect to the Reserved Service Fee and the Capital Recovery Fee, that the charges are not unreasonable, and therefore, that Mr. Groba's petition be dismissed.¹ Staff continues to support this recommendation.

III. CONCLUSION

Staff recommends that Noack WSC is correctly applying its tariff to Mr. Groba's request for service with respect to the Reserved Service Fee and the Capital Recovery Fee, and that the charges are not unreasonable. There are no disputed facts on this issue. Staff further recommends

¹ Commission Staff's Recommendation (October 11, 2016).

that the portions of Mr. Groba's complaint relating to participation in service programs and Mr. Groba's ownership of the meter be dismissed for lack of jurisdiction and mootness. Based on these recommendations, Staff's position is that no hearing is necessary and requests that Mr. Groba's petition be dismissed.

Dated: January 25, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 25, 2017 in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas