



Control Number: 46436



Item Number: 3

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**PETITION OF MANAGEMENT &
TRAINING CORPORATION FOR
REVIEW OF THE DECISION BY THE
CITY OF OVERTON TO CHANGE
RETAIL WATER AND SEWER RATES
(BILLY MOORE CORRECTIONAL
CENTER)**

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PUBLIC UTILITY COMMISSION

2016 OCT 21 11:50 AM
PUBLIC UTILITY COMMISSION
OF TEXAS
CLERK

**CITY OF OVERTON'S RESPONSE TO
PUBLIC UTILITY COMMISSION'S ORDER NO. 1**

1. Pursuant to 16 Texas Administrative Code §22.78(a), the City of Overton ("City") advises the Administrative Law Judge as the presiding officer of this appeal that the City to date has not been served in any manner with, and is not in receipt of, any petition reportedly filed by the Management & Training Corporation ("MTC"). The City otherwise acknowledges that it received the Administrative Law Judge's Order No. 1 on October 14, 2016.

2. The City objects that if any petition was filed solely by the MTC then it does not constitute a protest by at least 10% of the ratepayers residing outside of the corporate limits of the municipality, as required under 16 Texas Administrative Code §24.41(b). The City asserts that it provides water and sewer services by a municipally owned utility to a total of 26 active rate-paying customers who reside outside of the corporate limits of the city, of which 26 active ratepayers the MTC is only one and thus is less than 10% of the total. The Public Utility Commission, therefore, lacks jurisdiction of any petition reportedly filed by the MTC, only.

3. The City further denies that any request by the MTC for any relief from the water and sewer rate increase is warranted, and the City requests that the Administrative Law Judge affirm the increased rate is just and reasonable under the circumstances. The City reserves its right under the procedural rules to file its response to the petition once it is received.

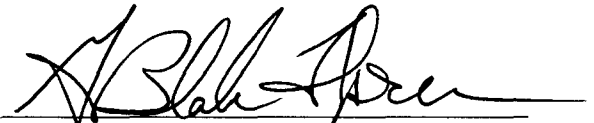
4. The City of Overton hereby provides notice of its current address, telephone and facsimile numbers:

1200 S Commerce St, Overton, Texas 75684
Telephone no. 903-834-3767; fax no. 903-834-3174

Respectfully submitted,

MANN | TINDEL | THOMPSON
300 West Main Street
Henderson, Texas 75652
(903) 657-8540
(903) 657-6003 (fax)

By:



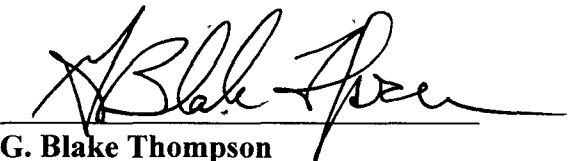
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**ATTORNEYS FOR THE CITY OF
OVERTON**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served upon the Management & Training Corporation, 8500 N. Hwy 3053, Overton, Texas 75684 by Certified United States Mail, Return Receipt Requested, on this the 18th day of October, 2016.



G. Blake Thompson