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**RATEPAYERS' APPEAL OF THE
DECISION BY BEAR CREEK SPECIAL
UTILITY DISTRICT TO CHANGE
RATES**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S REQUEST FOR A RULING

COMES NOW the Staff ("Staff") of the Public Utility Commission of Texas ("Commission"), representing the public interest, and files this request for a ruling.

I. Background

On March 27, 2017, ratepayers (Ratepayers) of the Bear Creek Special Utility District f/k/a Lavon Special Utility District (Bear Creek) filed a petition appealing the decisions of the board of directors of the Bear Creek SUD to increase water rates.

On May 5, 2017, Staff filed a Motion to Dismiss, recommending that the petition be dismissed for a lack of jurisdiction, because the Ratepayers' appeal was not filed within 90 days after the effective date of the rate change as required by Texas Water Code Ann. § 13.043(c) (West 2016).

On September 21, 2017, Staff filed a request for a ruling on its pending motion to dismiss.

II. Conclusion

Staff respectfully requests a ruling from the ALJ on Staff's pending motion to dismiss.

Date: December 28, 2017

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Karen S. Hubbard
Managing Attorney
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 December 27, 2017 in accordance with 16 TAC § 22.74.



Landon J. Lill