



Control Number: 46998



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OPEN MEETING COVER SHEET

COMMISSIONER MEMORANDUM

MEETING DATE: March 29, 2018
DATE DELIVERED: March 28, 2018
AGENDA ITEM NO.: 22
CAPTION: Docket No. 46998 - Ratepayers' Appeal of the Decision by the City of Malakoff to Change Rates
ACTION REQUESTED: Memo from Commissioner D'Andrea

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Public Utility Commission of Texas

TO: Chairman DeAnn T. Walker
Commissioner Brandy Marty Marquez
Commissioner Arthur C. D'Andrea

All Parties of Record (*via electronic transmission*)

FROM: Petrus Wassdorf
Commission Advising 

RE: *Ratepayers' Appeal of the Decision by the City of Malakoff to Change Rates,*
Docket No. 46998, March 29, 2018 Open Meeting, Item No. 22.

DATE: March 28, 2018


Please find enclosed a memorandum by Commissioner D'Andrea in the above-referenced docket. No other commissioner will file a memorandum in this project.

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Public Utility Commission of Texas

Memorandum

TO: Chairman DeAnn T. Walker
Commissioner Brandy Marty Marquez

FROM: Commissioner Arthur C. D'Andrea 

DATE: March 28, 2018

RE: Open Meeting of March 29, 2018 – Agenda Item No. 22
Docket No. 46998, *Ratepayers' Appeal of the Decision by the City of Malakoff to Change Rates*

I recommend that the Commission make the following modifications to the proposed order:

- a) A finding of fact 13A should be added to add support to the conclusion that the Star Harbor ratepayers are not Malakoff ratepayers.
 - 13A. Malakoff does not read meters for, directly bill, or receive payments directly from the Star Harbor ratepayers.
- b) Finding of fact 10 should be modified as follows to clarify that Malakoff receives payments from Star Harbor on a monthly basis.
 10. The contract expired on May 7, 2016, but Malakoff continues to treat Star Harbor's sewage, bill Star Harbor on a monthly basis, and receive payments from Star Harbor on a monthly basis.
- c) On page three of the proposed order, the first two sentences of the first paragraph should be deleted as duplicative. The last sentence of the first paragraph should be moved to the end of the second paragraph. In the first line of the second paragraph the citation to the Texas Administrative Code should be modified to read: 16 Texas Administrative Code (TAC) § 22.181(d)(1) and (8).

In addition, I would delegate to Commission Advising and Docket Management staff the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.