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DOCKET NO. 47279

**COMPLAINT OF WES ANDERSON, § PUBLIC UTILITY COMMISSION,
ET. AL. AGAINST QUADVEST L.P., §
QUADVEST, INC., RANCH UTILITIES § OF TEXAS
CORP., AND RANCH UTILITIES, L.P §**

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2017 AUG -7 PM 3:10
FILED

**ORDER NO. 3
DENYING REQUEST FOR JURISDICTIONAL WAIVER
AND DISMISSING CERTAIN COMPLAINANTS**

This Order addresses complainants' request that the Commission waive jurisdiction, Commission Staff's statement of position, and Quadvest's response to Order No. 1.

In the complaint filed on June 1, 2017, Wes Anderson, Bradley K. Baker, Ethel Barrett, Gail Stephens Acebo, Mary Erato, Priscilla A. Ferguson, Gladys H. Floyd, Randolph R. Hansen, Robert Hardoin, Darin Reeser, Victoria Risinger, Allyn Watkins, Jill Westbrook, Jennifer L. Wike, Fang Yiu, Ashley Sanders, George H. Krug, III, Margie C. Krug, Jamie Taylor, Stephanie Taylor, Mark Lejsekon, M'Ral Lejsekon, Marco Barnes, Oneal Norris, Paul and Rebecca Gardaphe, Richard Deming, Ron Christopherson, Tamara Blessing, and Martin Leo (collectively, complainants) requested, among other things, that the Commission waive jurisdiction over this dispute and allow the matter to proceed in district court as a class action filing.

On July 7, 2017, Quadvest responded. Included in the response, Quadvest requested that the Commission dismiss all complainants that failed to comply with the informal resolution requirements of 16 Texas Administrative Code § 22.242(c) (TAC). Quadvest argued that not all of the individuals complied with this requirement.

On July 14, 2017, Commission Staff filed a position statement. Commission Staff recommended denial of complainants' request to waive the Commission's jurisdiction. Commission Staff noted that the Commission has jurisdiction over the complaints regarding meter accuracy and the related amounts billed to ratepayers.

Commission Staff stated that complainants alleged that informal complaints were filed with the Commission. However, a review of the Commission's database shows that only 12 have completed the informal complaint process under 16 TAC § 22.242(c). In addition, Robert Hardoin began a complaint on September 23, 2016, but the informal complaint was not completed. For

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this reason, Commission Staff recommended that Wes Anderson, Bradley Baker, Priscilla Ferguson, Darin Reeser, Victoria Risinger, Jennifer Wike, George Krug III, Margie Krug, Jamie Taylor, Stephanie Taylor, Mark Lejsekon, M'Ral Lejsekon, Marco Barnes, Oneal Norris, Rebecca Gardaphe, Ron Christopherson, and Tamara Blessing, along with Robert Hardoin should be dismissed from this proceeding.

Complainants did not file a response to Quadvest's response and motion to dismiss or Commission Staff's statement of position.

Consistent with Commission Staff's recommendations, complainants' request for waiver of the Commission's jurisdiction is denied. Complainants' request to waive the requirements under 16 TAC § 22.242(c) is also denied. All complainants, except for Ethel Barrett, Gail Stephens Acebo, Mary Erato, Gladys Floyd, Randolph Hansen, Allyn Watkins, Jill Westbrook, Fang Yiu, Ashley Sanders, Paul Gardaphe, Richard Deming, and Martin Leo, are dismissed without prejudice from this proceeding.

Signed at Austin, Texas the 1st day of August 2017.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE