



Control Number: 47424



Item Number: 21

Addendum StartPage: 0

RECEIVED

APPLICATION OF LEGEND BANK,
DBA OREAL, INC FOR AUTHORITY
TO CHANGE RATES

§
§
§

PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
OF TEXAS

2017 OCT 10 AM 11:45
FILING CLERK

**COMMISSION STAFF'S REQUEST TO SUSPEND RATES
AND REFER THIS MATTER TO SOAH**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 3, and would show the following:

I. Background

On July 25, 2017, Legend Bank, dba OREAL, Inc. (OREAL) filed an application for a rate/tariff change. On October 3, 2017, the Administrative Law Judge (ALJ) issued Order No. 3 deeming the application administratively complete and requiring Staff to file a procedural schedule by October 10, 2017. Therefore, this pleading is timely filed.

II. Request to suspend rates

Based on the magnitude of the proposed rate change, Staff recommends that the commission suspend the effective date of OREAL's requested rate increase pursuant to Tex. Water Code § 13.1871(g) (West 2016).

III. Request for Referral

The Texas Water Code permits the Commission to "set the matter for hearing on its own motion at any time within 120 days after the effective date of the rate change."¹ Staff has determined that there are factual disputes associated with OREAL's cost of service that need to be

¹ TWC § 13.1871(i); *see also* 16 Tex. Admin. Code § 24.28(c)(1).

adjudicated. Given these factual disputes, Staff requests that the Commission refer this proceeding to the State Office of Administrative Hearings.

IV. Conclusion

Staff recommends the Commission suspend OREALs requested rate increase and refer this proceeding to the State Office of Administrative Hearings.

Dated: October 10, 2017

**PUBLIC UTILITY COMMISSION
LEGAL DIVISION**

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

Landon J. Lill
State Bar No. 24092700
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
Landon.lill@puc.texas.gov

**DOCKET NO. 47424
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 10, 2017, in accordance with 16 TAC § 22.74.

Landon J. Lill