



Control Number: 47457



Item Number: 27

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**DOCKET NO. 47457**

**COMPLAINT OF CLAY MOREHEAD  
AGAINST COREY ABEL, TRUSTEE TO  
THE CASTLECOMB TRUST**

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§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

2018 OCT 10 AM 11:04  
CLERK

**COMMISSION STAFF'S STATUS REPORT**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Status Report and would show the following:

**I. BACKGROUND**

On July 31, 2017, Clay Morehead filed a formal complaint against Corey Abel, Trustee for the Castlecomb Trust (Castlecomb), regarding maintenance fees. In addition to the instant proceeding, the Oversight and Enforcement Division (OED) is seeking administrative penalties for Castlecomb's alleged violation of Texas Water Code (TWC) § 13.242 and 16 Texas Administrative Code (TAC) § 24.101 in Docket No. 47426. On April 9, 2018, the Administrative Law Judge issued Order No. 6 granting Staff's request to continue the abatement of this case so Docket No. 47426 may proceed first and requiring Staff to file monthly status reports beginning on May 10, 2018. Therefore, this pleading is timely filed.

**II. STATUS REPORT AND REQUEST FOR CONTINUED ABATEMENT**

Docket No. 47426 was referred to the State Office of Administrative Hearings on February 26, 2018. At the open meeting held on September 27, 2018, the Commission voted to request that SOAH return Docket No. 47426 to the Commission, and to request that the Office of the Attorney General (OAG) file suit against Castlecomb Water System, or any other appropriate entity, to obtain compliance with the Commission's rules and the TWC and seek a civil penalty if appropriate.<sup>1</sup> The Texas Commission on Environmental Quality (TCEQ) has already referred a suit against Castlecomb to the OAG, and the Commission is asking to join any suit filed on its behalf with TCEQ's so that all compliance matters related to this water system can be resolved in

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<sup>1</sup> Open Meeting Tr. at 49:24-50:11 and 50:12-17 (Sep. 27, 2018).

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a single proceeding. The Commission specifically stated that “the referral should include any violation of our rules, not just the failure to obtain a CCN for water service.”<sup>2</sup>

Staff needs additional time to determine whether this docket is included in the referral to the OAG. Accordingly Staff respectfully requests that this docket remain abated. On or before November 10, 2018, Staff will file a Motion to Dismiss Without Prejudice or a Status Report.

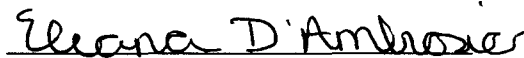
Dated: October 10, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



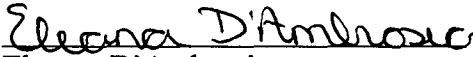
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<sup>2</sup> *Id.* at 49:20-22.

**DOCKET NO. 47457**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 10, 2018, in accordance with 16 TAC § 22.74.

  
Eleanor D'Ambrosio