



Control Number: 47457



Item Number: 52

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PUBLIC UTILITY COMMISSION
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OPEN MEETING COVER SHEET

COMMISSIONER MEMORANDUM

MEETING DATE: October 11, 2019

DATE DELIVERED: October 10, 2019

AGENDA ITEM NO.: 29

CAPTION: Docket No. 47457 - Complaint of Clay
Morehead Against Corey Abel, Trustee to
the Castlecomb Trust

DESCRIPTION: Chairman Walker Memorandum

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DeAnn T. Walker
Chairman

Arthur C. D'Andrea
Commissioner

Shelly Botkin
Commissioner

John Paul Urban
Executive Director



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Governor

Public Utility Commission of Texas

TO: Chairman DeAnn T. Walker
Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

All Parties of Record (*via electronic transmission*)

FROM: Lorenzo Garcia
Commission Advising

RE: *Complaint of Clay Morehead Against Corey Abel, Trustee to the Castlecomb Trust, Docket No. 47457, Commissioner Memo, October 11, 2019 Open Meeting, Item No. 29.*

DATE: October 10, 2019

Please find enclosed a memorandum by Chairman Walker regarding the above-referenced docket.

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Public Utility Commission of Texas

Memorandum

TO: Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

FROM: Chairman DeAnn T. Walker 

DATE: October 10, 2019

RE: Open Meeting of October 11, 2019 – Agenda Item No. 29
Docket No. 47457 – *Complaint of Clay Morehead Against Corey Abel, Trustee to the Castlecomb Trust*

I believe that the Commission should obtain additional information in this proceeding prior to acting on the proposal for decision. Accordingly, I recommend requesting that the Commission Oversight and Enforcement Staff obtain the following information and file the information in this docket. I further request that the Commission Oversight and Enforcement Staff file a status report in this docket by November 8, 2019. In the status report, Commission Oversight and Enforcement Staff should include as much of the requested information as possible and file updates as more information becomes available.

1. Are the residents of the Castlecomb subdivision receiving water and sewer service?
2. Is there an operator for the water and sewer systems providing service to the residents of Castlecomb subdivision?
 - a. If so, who is operating the systems?
 - b. If so, is the operator currently licensed by the Texas Commission on Environmental Quality?
3. Are the residents of Castlecomb subdivision paying for potable water and sewer service? If so, what is the identity of the person or entity receiving such payment?
4. What is the identity of the person or entity paying the expenses necessary to operate the water and sewer systems, such as for the electric service and repairs to the systems?
5. What is the source of the money for the expenses necessary to operate and maintain the water and sewer systems?
6. Has Corey Abel, in his capacity as trustee of the Castlecomb Trust, taken any action within the last six months regarding the operation of the water and sewer systems?

7. Has Corey Abel, in his capacity as trustee of the Castlecomb Trust, been in communication with residents of Castlecomb subdivision or with Commission Oversight and Enforcement Staff? If so, please obtain and provide the documents.
8. What is the status of the lawsuit brought by the Office of the Attorney General on behalf of the Texas Commission on Environmental Quality related to the water and sewer system serving the Castlecomb subdivision? Has the Office of the Attorney General joined the Commission into the lawsuit as requested at the September 27, 2018 open meeting?
9. Have the residents of Castlecomb subdivision taken steps to establish a water supply corporation?
 - a. If so, have the residents taken any action to obtain ownership of the Castlecomb Trust water and sewer systems?
 - b. If so, what is the name of the water supply corporation and who are the officers and directors of the water supply corporation?
 - c. If so, has the water supply corporation obtained the necessary permits to own and operate the water and sewer system?
10. Is the Castlecomb subdivision within the City of Kerrville's certificates of convenience and necessity for water or sewer service?
 - a. Have any residents of Castlecomb subdivision requested water or sewer service from the City of Kerrville?
 - b. If so, why is the City of Kerrville not providing water and sewer service to the Castlecomb subdivision?
11. What is the cost for the City of Kerrville to interconnect water and sewer service to the Castlecomb subdivision?
12. Identify all neighboring water and sewer systems with which Castlecomb subdivision could potentially interconnect.

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