



Control Number: 48697



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**DOCKET NO. 48697**

**APPLICATION OF ANDERSON  
WATER COMPANY, INC. FOR  
AUTHORITY TO CHANGE RATES**

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§  
§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

2019 SEP 27 10:26  
FILED  
CLERK

**COMMISSION STAFF'S MOTION TO COMPEL**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Motion to Compel. In support thereof, Staff would show the following:

**I. BACKGROUND**

On October 1, 2018, Anderson Water Company, Inc. (Applicant) filed an application with the Commission for a water rate/tariff change with an effective date of November 28, 2018, under Certificate of Convenience and Necessity (CCN) No. 11675 in Grimes County.

On August 6, 2019, Staff filed requests for information (RFI), numbering Staff 2-1 through 2-13. On August 13, 2019, the Applicant filed documentation, but they are not responsive to Staff's RFIs.

**II. MOTION TO COMPEL**

Under 16 Texas Administrative Code (TAC) § 22.144(c)(1), responses were due on August 27, 2019. Staff has contacted Applicant's representative and others of Applicant's staff to discuss Staff's 2<sup>nd</sup> RFI, and, despite several representations that Applicant would file a response, Applicant has failed to do so. An item was filed with central records on August 13, 2019, and erroneously marked as Applicant's response to Staff's 2<sup>nd</sup> RFI. The document states it includes "copies of receipts in support of the response to Staffs Request for information..." [sic], but it does not purport itself to be Applicant's response to Staff's 2<sup>nd</sup> RFI, nor does it follow proper formatting guidelines under 16 TAC § 22.144(c) or contain responses to all questions contained in Staff's 2<sup>nd</sup> RFI.

Staff's 2<sup>nd</sup> RFI directly concerns information related to Applicant's affiliate, Anderson Plumbing, and is necessary for Staff to allocate the different expenses such as purchased power,

transportation, and insurance. These are necessary factors for the Commission to consider before approving a rate/tariff change for a CCN. Staff cannot process Applicant's application for a rate/tariff change without such information. Staff therefore requests that the ALJ issue an order to compel Applicant to respond to Staff's 2<sup>nd</sup> RFI and to abide by the requirements of 16 TAC § 22.144(c) in formatting their response.

### **III. CONCLUSION**

Staff respectfully requests that the entry of an order requiring Applicant to respond to Staff's 2<sup>nd</sup> RFI to Applicant.

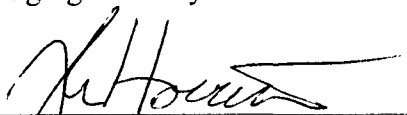
Dated: September 27, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Rachelle Nicolette Robles  
Managing Attorney

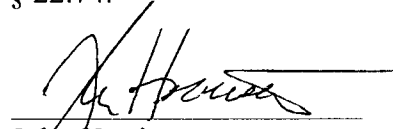
A handwritten signature in black ink, appearing to read "John Harrison", is written over a horizontal line.

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 27<sup>th</sup> of September 2019 in accordance with 16 TAC § 22.74.

  
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John Harrison