

Control Number: 48819



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**SOAH DOCKET NO. 473-20-1674.WS
PUC DOCKET NO. 48819**

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STATE OFFICE

APPLICATION OF NORTHTOWN ACRES WATER SUPPLY FOR AUTHORITY TO CHANGE RATES	§ § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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MARK PARKER MOTION TO ABATE AND RESCIND INTERIM RATE INCREASE

COMES NOW Intervener Mark Parker, representing the public interest, and files this Motion to Abate and Rescind Interim Rate Increase and would show the following:

I. BACKGROUND

On January 18, 2019, Northtown Acres Water Supply (Northtown Acres) filed an application for authority to change rates pursuant to Texas Water Code (TWC) § 13.1871 and § 13.1872(c)(2) and 16 Texas Administrative Code (TAC) §§ 24.25 - 24.35. More than 10% of the ratepayers affected by Northtown Acres' proposed increase filed protests, and Order No. 8, issued December 3, 2019, established January 15, 2020, as the intervention deadline for this proceeding. On December 18, 2019, the Office of Policy and Docket Management issued an Order of Referral referring this docket to the State Office of Administrative Hearings (SOAH).

SOAH Order No. 1, issued December 20, 2019, scheduled a prehearing conference for February 3, 2020, and directed Northtown Acres to mail notice of the prehearing conference to customers at least 20 days before the prehearing conference. On January 6, 2020, Mark Parker filed a motion to intervene. Northtown Acres mailed notice of the prehearing conference to customers on January 13, 2020, and filed proof of notice on January 16, 2020. On January 15, 2020, Frank Marx, III filed a motion to intervene.

II. MOTION TO ABATE AND RESCIND INTERIM RATE INCREASE

Mark Parker respectfully requests to abate and to rescind the Interim Rate Increase of this proceeding. Northtown Acres is currently owned and operated by Sheroll and Roger Richardson

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as a sole proprietorship. Before the Richardsons, Northtown Acres was owned and operated by Ms. Richardson's father, Herb Madison, who passed away in 2013. Ms. Richardson was Mr. Madison's sole heir and the primary beneficiary under his will.

Northtown Acres' service area is under water Certificate of Convenience and Necessity (CCN) No. 11704, which was originally issued to Mr. Madison. Through discussions with Northtown Acres, it has come to light that an application for a sale, transfer, merger (STM) must be approved by the Commission to officially transfer the service area under water CCN number 11704 to the Richardsons. Accordingly, Staff requests the abatement of the rate case to allow for the filing and processing of the STM application. Staff will file a status report within three months of the date of an order abating this case, and every three months thereafter, until the STM is approved by the Commission.

I, Mark Parker, not opposed to the abatement to allow time for Northtown Acres to preform their legal duty to complete application for a sale, transfer, merger (STM) which must be approved by the Commission to officially transfer the service area under water CCN number 11704 to the Richardsons. Obsoletely this need to be done to make everything else in order and to follow legal filling procedures.

I, Mark Parker, is pleading for another motion to also include rescinding the previously approved Interim 19% increase due to not having followed the correct protocol/procedures, making the previously filings for rate increases null and void. There has been a great deal of failed filing and refillings and late filings for this case with various rates increases amounts and rate formulas proposed - resulting in confusion to everyone involved - especially the end customer - the homeowners who are using Northtown Acres water service.

Mark Parker has conferred with PUC Staff (Eleanor D'Ambrosio) and she is unopposed to the ABATEMENT but I believe Eleanor is opposed to the Rescinding the Interim Rate Increase. Also Mark Parker conferred with Frank Marx, who indicated he is filing his own response to this motion.

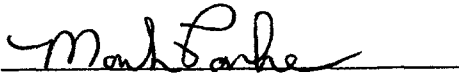
III.

CONCLUSION

Mark Parker respectfully requests the issuance of an Order abating and rescinding the Approved Interim Rate Increase consistent with the preceding discussion.

Dated: January 28, 2020

Respectfully submitted,


A handwritten signature in cursive script, appearing to read "Mark Parker", is written over a horizontal line.

Mark Parker
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 27, 2020, in accordance with 16 TAC § 22.74.



Mark Parker