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**FRANK MARX, III MOTION TO MAINTAIN ITEMS REQUESTED TO BE STRUCK UNDER
NORTHTOWN ACRES' MOTION TO DISMISS INTERVENORS AND MOTION TO STRIKE
STATEMENTS OF POSITION**

COMES NOW Frank Marx, III filing this motion to not strike the objected portions of my testimony filed by Northtown Acres Water Supply for the following reasons.

The testimony demonstrates that the water supply company is not trustworthy. It is not hearsay as the PUC staff helped in establishing this case by noting what rates were in effect. I took those rates and calculated with their help what overcharged amount was. Northtown Acres acknowledged the overcharged amount, and we came to a settlement.

The settlement was not contingent on any confidentiality agreement and there was/is no confidentiality agreement in place.

I do not believe that establishing known violations of law is irrelevant in any case.

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 30th, 2021, in accordance with 16 TAC 22.74


Frank Marx, III