



Control Number: 48971



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**DOCKET NO. 48971**

**REQUEST OF BRENT DAVIS,  
OPERATOR OF CYPRESSWOOD  
ESTATES WATER SYSTEM, TO  
FIND THE WATER SYSTEM  
ABANDONED AND FOR  
PLACEMENT UNDER TEMPORARY  
MANAGEMENT**

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**PUBLIC UTILITY COMMISSION: 49**

**OF TEXAS**

FILING CLERK

**COMMISSION STAFF'S RESPONSE TO ORDER NO. 1**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Response to Order No. 1 and would show the following:

**I. BACKGROUND**

On December 10, 2018, Brent Davis, operator of Cypresswood Estates Water System (CWES), filed a request that CWES be found abandoned and that a temporary manager be appointed. Mr. Davis indicated that he no longer desires to operate CWES, as it is not financially viable, and that the owners of CWES had not responded to his requests that they take steps to resolve the situation. He also indicated that he would continue to operate CWES until a temporary manager could be appointed, as he does not wish to disrupt service to customers.

On December 13, 2018, Order No. 1 was issued, establishing a deadline of January 11, 2019, for Staff to file comments and recommend an appropriate method for processing this request. This pleading is therefore timely filed.

**II. RECOMMENDATION**

On January 10, 2019, Mr. Davis filed a request to withdraw his petition. In his request, he indicated that the owners of CWES have deeded CWES to him, enabling him to negotiate a potential sale of CWES. Mr. Davis indicated that he is pursuing these negotiations, and that he intends to file a sale/transfer/merger application if a buyer is found for CWES.

Under 16 Texas Administrative Code (TAC) § 22.181(g), a party that initiated a proceeding may withdraw its application without prejudice at any time before that party has presented its direct case. Mr. Davis has not yet presented his direct case in this proceeding, and is therefore free to

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withdraw his application under 16 TAC § 22.181(g). Staff is therefore unopposed to Mr. Davis' withdrawal of his request.

### **III. CONCLUSION**

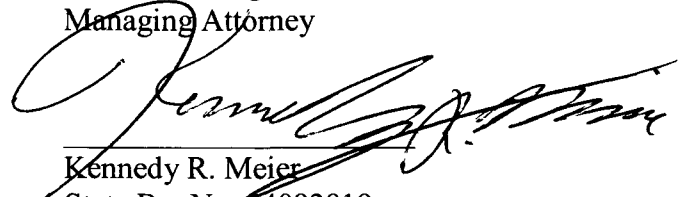
For the reasons detailed above, Staff is unopposed to Mr. Davis' withdrawal of his request and the dismissal of this proceeding.

Respectfully Submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

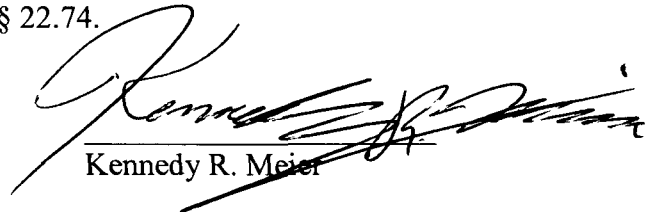


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#### **CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 11<sup>th</sup> of January, 2019 in accordance with 16 TAC § 22.74.



Kennedy R. Meier