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DOCKET NO. 49154

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**RATEPAYERS' APPEAL OF THE  
DECISION BY LAGUNA MADRE  
WATER DISTRICT TO CHANGE  
RATES**

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2019 JUL 23 AM 10:38  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

### **COMMISSION STAFF'S LIST OF ISSUES**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (PUC), representing the public interest, and files this List of Issues.

#### **I. BACKGROUND**

On January 29, 2019, a group of homeowners in the South Island Golf Course (Petitioners) filed this appeal of the rates charged by the Laguna Madre Water District for raw (untreated) irrigation water. In their first petition, Petitioners alleged that the rates charged by Laguna Madre violated Texas Water Code (TWC) §§ 13.043 and 13.186.

On March 8, 2019, Petitioners filed a first amended petition. The first amended petition abandons the claims under TWC §§ 13.043 and 13.186 and asserts that the Commission should, under the authority vested by TWC § 12.013, set the rate for the raw water Petitioners buy from Laguna Madre for irrigation use.

An Order of Referral, issued by Commission Advising and Docket Management on June 21, 2019, referred the docket to the State Office of Administrative Hearings (SOAH) and stated that Staff may file a list of issues to be addressed in the docket by July 3, 2019. Therefore, this pleading is timely filed.

#### **II. STAFF'S LIST OF ISSUES**

Staff proposes the following list of issues for the Commissioners' consideration:

1. Does the Commission have the statutory authority to hear this appeal?
2. What is considered a "reasonable rate" under TWC § 12.013?
3. What basis should the Commission use for fixing rates? TWC § 12.013(c)
4. What are the debt service and bond coverage requirements of Laguna Madre's debt? TWC § 12.013(c).
5. Should the Commission establish interim rates and compel continuing service during the pendency of the proceeding? TWC § 12.013(e).

6. What is the difference between the rate fixed by the Commission and the rate being charged by Laguna Madre?
7. Should the Commission order a refund or assess additional charges? TWC § 12.013(f).

### **III. CONCLUSION**

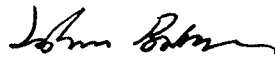
Staff respectfully requests that its list of issues be among the issues considered by the Commission in this proceeding.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on July 3, 2019,  
in accordance with 16 TAC § 22.74.



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Joshua Adam Barron