



Control Number: 49261



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SOAH DOCKET NO. 473-20-1120.WS

PUC DOCKET NO. 49261 DEC -2 AM 9:48

COMPLAINT OF MICHAEL E. MOORE
AGAINST C WILLOW WATER
COMPANY

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FILED
PUBLIC UTILITY COMMISSION
BEFORE THE STATE OFFICE
FILING CLERK
OF
ADMINISTRATIVE HEARINGS

COMMISSION STAFF'S LIST OF ISSUES

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this List of Issues and would show the following:

I. BACKGROUND

On February 26, 2019, Michael E. Moore (Complainant) filed a complaint against C Willow Water Company (C Willow) regarding water billing and related charges. Specifically, Mr. Moore is disputing a \$1,808.86 water bill received on October 3, 2018, that was based on usage in the amount of 495,280 gallons. The Office of Policy and Docket Management issued an Order of Referral on November 13, 2019, referring this docket to the State Office of Administrative Hearings (SOAH). The Order also established a deadline of November 21, 2019, for Complainant, C Willow, Staff, and any other interested parties to file a list of issues to be addressed in this docket.

Both Complainant and C Willow receive service in this docket via U.S. mail; consequently, both parties did not receive the Order of Referral until November 19, 2019. After receiving calls from both the Complainant and C Willow, Staff filed an Agreed Request for Extension on November 20, 2019. The next day, the SOAH Administrative Law Judge issued an order extending the deadline for the parties to file a list of issues to December 2, 2019. Therefore, this pleading is timely filed.

II. PROPOSED LIST OF ISSUES

Staff submits the following issues for consideration in this proceeding:

1. When did Mr. Moore first begin occupying 303 Hickory Trail, Lavernia, TX 78121 as his primary residence?
2. Was C Willow providing water service to 303 Hickory Trail on the date Mr. Moore first began occupying it as his primary residence?
3. When and how did C Willow first become aware that Mr. Moore was occupying 303 Hickory Trail as his primary residence?
4. When did Mr. Moore submit a completed application for water service to C Willow?
5. According to C Willow's records, whose name was on the account for 303 Hickory Trail for the months of July, August, September, and October 2018?
6. Does C Willow have any policies in place regarding how to request termination of water service?
 - a. Did the customer whose name was on the account for 303 Hickory Trail prior to Mr. Moore submitting a completed application for service request a termination of service in accordance with C Willow's policy?
 - b. If C Willow does not have a formal policy, what informal procedures does C Willow use to effect a request for termination of water service?
7. Did Mr. Moore request that C Willow test the accuracy of his water meter? 16 TAC § 24.169(d).
8. If Mr. Moore requested a meter test, did C Willow meet its obligations under 16 TAC § 24.169(d) to perform a meter test? Did C Willow perform the meter test in compliance with 16 TAC § 24.169(e)?
9. If C Willow tested the accuracy of Mr. Moore's meter, what were the results of the test?
10. If Mr. Moore did not request a meter test, what obligation did C Willow have to evaluate the accuracy of the water meter at 303 Hickory Trail?
11. If Mr. Moore did not request a meter test, what actions, if any, did C Willow take to evaluate the accuracy of the water meter at 303 Hickory Trail?
12. What actions did Mr. Moore take to evaluate the accuracy of the water meter at 303 Hickory Trail?

13. Is there any evidence that Mr. Moore used 495,280 gallons of water other than the meter readings taken by C Willow?
14. Was the disputed bill of \$1,808.86 calculated according to the rates included in C Willow's current tariff? 16 § TAC 25.165(a).

III. CONCLUSION

Staff respectfully requests the entry of a Preliminary Order consistent with the issues proposed above.

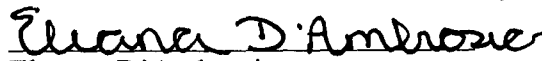
Dated: December 2, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

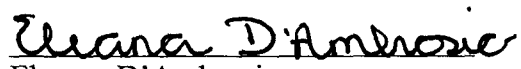
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on December 2, 2019, in accordance with 16 TAC § 22.74.


Eleanor D'Ambrosio