



Control Number: 49261



Item Number: 52

Addendum StartPage: 0



SOAH DOCKET NO. 473-20-1120.WS  
PUC DOCKET NO. 49261

COMPLAINT OF MICHAEL E. MOORE AGAINST C WILLOW WATER COMPANY § BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

MOTION TO DECLASSIFY PORTIONS OF CONFIDENTIAL DOCUMENTS

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Motion to Declassify Portions of Confidential Documents. In support thereof, Staff shows the following:

I. BACKGROUND

On February 26, 2019, Michael E. Moore (Moore) filed a complaint against Shady Oaks Water, L.P. dba C-Willow Water Company (C-Willow) regarding water billing and related charges. The complaint was filed pursuant to 16 Texas Administrative Code (TAC) § 22.242. On March 19, 2019, C-Willow filed its response to the complaint.

On April 24, 2020, State Office of Administrative Hearings (SOAH) Order No. 3 was issued memorializing the prehearing conference and setting a procedural schedule agreed upon by all parties.

II. MOTION TO DECLASSIFY

On April 26, 2019 C-Willow, in response to Staff's First Request for Information (RFI), filed confidential answers to Staff's request for information. The documents were filed entirely confidentially in error, as only portions of some of the documents actually contained confidential information.

It is in the public interest that confidential filings remain the exception and not the rule. Here, C-Willow has taken the opposite approach, filing the entirety of its RFI responses confidentially, while providing no explanation as to why the confidential designation applies. C-Willow has not met its burden of proof to show why it is proper to deprive the public of access to the information supporting its response to Staff's RFIs.

Staff has attached a redacted version of C-Willow's RFI responses in which Staff redacted all information that could potentially be considered confidential. This includes redacting all customers' personal information including social security numbers; driver's license information;

customer information not related to 303 Hickory Trail; and the phone numbers of any party except Moore and C-Willow. Staff has filed this redacted document confidentially to allow the ALJ to review these redacted RFI responses and determine whether to declassify the confidential response and allow Staff to file the redacted version of these RFI responses publicly. Staff requests that the confidential responses to Staff First RFIs to C-Willow be declassified for the public interest and that Staff be allowed to file the redacted version of the RFI responses attached to this motion publicly. By doing so, the redacted RFI responses may be presented at the June 23, 2020 hearing on the merits without the need for a closed hearing.

### **III. CONCLUSION**

Staff respectfully requests that the attached redacted responses to Staff's First Request for Information be declassified.

Dated: June 12, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Heath D. Armstrong  
Managing Attorney

/s/ Robert Dakota Parish  
Robert Dakota Parish  
State Bar No. 24116875  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7442  
(512) 936-7268 (facsimile)  
Robert.Parish@puc.texas.gov

**SOAH DOCKET NO. 473-20-1120.WS**

**PUC DOCKET NO. 49261**

**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 12, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish  
Robert Dakota Parish