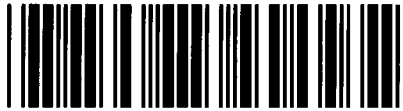


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**DOCKET NO. 49560**

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PUBLIC UTILITY COMMISSION  
OF TEXAS

**APPLICATION OF ECHO HILLS POA § PUBLIC UTILITY COMMISSION**  
**WATER SYSTEM FOR AN EXEMPT §**  
**UTILITY REGISTRATION § OF TEXAS**

**ORDER NO. 4**  
**REQUIRING CLARIFICATION FROM THE PARTIES**

In reviewing this matter, the administrative law judge (ALJ) has identified issues that require clarification from the parties. The application identifies the water system at issue as “Echo Hills POA.” (The ALJ suspects that “POA” stands for “property owners association.”) The application is signed by Bobbie Brown. There is no explanation as to the relationship between Ms. Brown and Echo Hills POA. On the other hand, documentation from the Texas Commission on Environmental Quality attached to the application identifies Ms. Brown, not Echo Hills POA, as the owner of the well and water system located at 8976 Ruby Lane, Frankston. Commission Staff recommended that the exempt registration and tariff be issued in the name of Echo Hills POA.

Texas Water Code § 13.242 provides, in part, that the Commission may allow a utility to render retail water service without a certificate of convenience and necessity if the utility has less than 15 potential connections. The definition of utility in TWC § 13.002(23) includes a person owning or operating for compensation equipment or facilities for the sale of potable water to the public.

By September 23, 2019, the applicant must file a pleading explaining: who owns the well and associated equipment for the purpose of selling potable water; Ms. Brown’s relationship to Echo Hills POA and the basis of her legal authority, if any, to speak on the POA’s behalf; the full name of Echo Hills POA; and provide any additional information that will be helpful in determining in whose name the exempt utility registration and tariff should be issued. If Echo Hills POA is a legal entity of some sort, the record should be supplemented to reflect that status.

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By October 7, 2019, Commission Staff must provide its own recommendation regarding in whose name the exempt utility registration and tariff should be issued. If appropriate, Commission Staff's response should include a revised registration and tariff.

Signed at Austin, Texas the 3<sup>rd</sup> day of September 2019.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
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**HUNTER BURKHALTER**  
**ADMINISTRATIVE LAW JUDGE**