

Control Number: 49732



Item Number: 11

Addendum StartPage: 0

DOCKET NO. 49732

COMPLAINT OF PAUL HAWKINS § PUBLIC UTILITY COMMISSION
AGAINST MONARCH UTILITIES I, L.P. §
§ OF TEXAS

COMMISSION STAFF’S RESPONSE TO ORDER NO. 3
SUPPLEMENTAL STATEMENT OF POSITION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff’s Response to Order No. 3, Supplemental Statement of Position, and would show the following:

I. BACKGROUND

On July 15, 2019, Paul Hawkins (Complainant or Mr. Hawkins) filed a formal complaint against Monarch Utilities I, L.P. (Respondent or Monarch) regarding pass-through water charges. Complainant filed the formal complaint pursuant to 16 Texas Administrative Code (TAC) § 22.242. On August 6, 2019, Respondent filed its response to the complaint.

Order No. 3, issued on October 14, 2019, required Mr. Hawkins to supplement his complaint to cure the deficiencies described by Staff in its August 13, 2019 and October 11, 2019 position statements. Order No. 3 indicated that if Mr. Hawkins failed to timely do so by October 30, 2019, this case may be dismissed by the Commission. Order No. 3 also required Staff to file a Supplemental Statement of Position by November 11, 2019. Filing was closed on November 11, 2019. This pleading is therefore timely filed.

II. RECOMMENDATION TO DISMISS

Mr. Hawkins was required to supplement the record to cure the deficiencies described by Staff in its August 13, 2019 and October 11, 2019 position statements by October 30, 2019. Mr. Hawkins has not supplemented the record as of the date of this filing. Staff therefore recommends that this docket be dismissed for failure to amend an application such that it is sufficient after repeated determinations that the application is insufficient under 16 TAC § 22.181(d)(7). Without these deficiencies being addressed there is no additional relief that can be granted by the Commission, and therefore dismissal is appropriate.

III. CONCLUSION

Staff respectfully requests that an order be issued consistent with this recommendation, and with Staff's previous recommendations and that the complaint be dismissed.

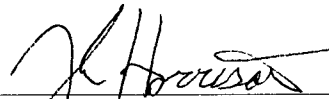
Dated: November 12, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Rachelle Nicolette Robles
Managing Attorney

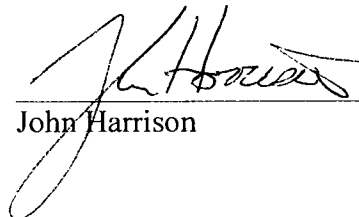


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 12, 2019 in accordance with 16 TAC § 22.74.



John Harrison