



Control Number: 50367



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COMPLAINT OF CHAD SWAHN  
AGAINST SHADY OAKS WATER  
SUPPLY COMPANY, LLC

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BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**NOTICE OF APPEARANCE, UPDATE ON THE STATUS OF REQUESTED RELIEF  
AND REQUEST FOR WITHDRAWAL OF COMPLAINT**

CSWR-Texas Utility Operating Company, LLC (“CSWR Texas”) submits the following Notice of Appearance, Update on the Status of the Requested Relief, and Request for Withdrawal of the Complaint, and respectfully shows as follows:

**I. INTRODUCTION**

On December 16, 2019, Chad Swahn filed at the Public Utility Commission of Texas a Complaint against Hickory Hill Water Supply Company dba Shady Oaks Water Supply Company, LLC (“Shady Oaks”).<sup>1</sup> Mr. Swahn indicates in his Complaint that he has been overcharged for water service and seeks to have certain water charges, late fees, and interest charges in an amount exceeding \$1000 removed from his account.<sup>2</sup> On December 23, 2020, CSWR Texas acquired Shady Oaks,<sup>3</sup> including the entirety of the Hickory Hill Water Company and the service address and related customer account for Mr. Swahn.<sup>4</sup> Although CSWR Texas had no previous involvement in the dispute between Mr. Swahn and the previous owner of Shady Oaks, including

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<sup>1</sup> *Application of Shady Oaks Water Supply Company, LLC and CSWR-Texas Operating Company, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Wilson County*, Docket No. 51118, Complaint (Dec. 16, 2019).

<sup>2</sup> Affidavit of Chad R. Swahn at 1-2 (Jul. 14, 2020).

<sup>3</sup> Docket No. 51118, Notice of Completed Transaction (Jan. 11, 2021).

<sup>4</sup> Affidavit of Chad R. Swahn at 1 (listing service address).

any of the specified charges billed to Mr. Swahn's account, the Company is now the owner of Shady Oaks and, accordingly, intends to represent Shady Oaks going forward in this proceeding.

## **II. NOTICE OF APPEARANCE OF COUNSEL**

Pursuant to 16 Tex. Admin. Code § 22.101, CSWR Texas, on behalf of Shady Oaks, designates the following counsel to represent its interest in the above-styled proceeding:

Evan D. Johnson  
State Bar No. 24065498  
C. Glenn Adkins  
State Bar No. 24103097  
Coffin Renner LLP  
1011 W. 31<sup>st</sup> Street  
Austin, Texas 78705  
(512) 879-0900  
(512) 879-0912 (fax)

## **III. UPDATE ON THE STATUS OF REQUESTED RELIEF AND REQUEST FOR WITHDRAWAL OF COMPLAINT**

In order to promptly resolve this Complaint and eliminate unnecessary litigation and expense, CSWR Texas has agreed that it will not collect from Mr. Swahn any of the outstanding charges, late fees, and interest charges addressed in Mr. Swahn's Complaint. In addition, CSWR Texas has offered to restart water service to the subject service address immediately, though the Company was informed by Mr. Swahn that he no longer wishes to receive water service at this address and that the Company should not restart service because of a possible water leak on the property. The Company is willing to restart water service as soon if it is requested in the future.

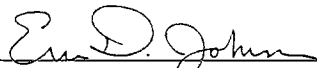
For these reasons, all relief requested by Mr. Swahn appears to have been satisfied and, as such, there should be no further need for litigation of this proceeding. Pursuant to its discussions with Mr. Swahn, the Company understands that he is willing to withdraw his complaint at this time. Accordingly, the Company requests that Mr. Swahn withdraw his Complaint and that this proceeding subsequently be dismissed.

#### IV. CONCLUSION

For the reasons stated herein, the Company requests that Mr. Swahn withdraw his Complaint, that this proceeding subsequently be dismissed, and that the Company be granted any other relief to which it has shown itself to be entitled.

Respectfully submitted,

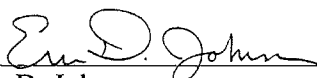
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**ATTORNEYS FOR CSWR, LLC**

#### CERTIFICATE OF SERVICE

I hereby certify that on this 26<sup>th</sup> day of January 2021, notice of the filing of this document was provided to all parties of record via electronic mail in accordance with the Order Suspending Rules, issued in Project No. 50664.

  
Evan D. Johnson