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**TARIFF CONTROL NO. 50521**

**APPLICATION OF MUNSON POINT § PUBLIC UTILITY COMMISSION**  
**PROPERTY FOR A PASS-THROUGH §**  
**RATE CHANGE § OF TEXAS**

**COMMISSION STAFF’S RESPONSE TO ORDER NO. 4**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this response. Staff supports the motion to dismiss. In support thereof, Staff would show the following:

**I. BACKGROUND**

On February 3, 2020, Munson Point Property Owners Association (Munson) filed an application to implement a pass-through rate change under 16 Texas Administrative Code § 24.25 to reflect the increase in charges billed by the City of Denison. Order No. 4, filed December 9, 2020, requested Staff to respond to the administrative law judge’s (ALJ) motion to dismiss by January 18, 2021. This pleading, therefore, is timely filed.<sup>1</sup>

**II. RESPONSE**

Staff continues to support its recommendation for denial filed on June 26, 2020. Staff also notes that, consistent with that recommendation, Munson has an ongoing rate case and pass-through application in Docket No. 51370.<sup>2</sup> On January 14, 2021, Staff recommended that the rate case and pass-through should continue to be processed simultaneously in Docket No. 51370.<sup>3</sup> Therefore, Staff supports the ALJ’s motion to dismiss filed on December 9, 2020 in this docket.

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<sup>1</sup> The Commission was closed for business on Monday, January 18, 2021. Therefore, the deadline moves to January 19, 2021 under 16 Tex. Admin Code § 22.4(b) (TAC).

<sup>2</sup> *Application of Munson Point Property Owner’s Association for Authority to Change Water and Sewer Rates and for a Pass-Through Rate Change*, Docket No. 51370 (pending).

<sup>3</sup> *Id.*, Commission Staff’s Recommendation on Administrative Completeness and Final Disposition at 2 (Jan. 14, 2021).

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**III. CONCLUSION**

Staff respectfully submits the foregoing response and supports dismissal of this proceeding under 16 TAC § 22.181(d)(8).

Dated: January 19, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**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 on January 19, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Creighton R. McMurray  
Creighton R. McMurray