



Control Number: 50552



Item Number: 10

Addendum StartPage: 0



DOCKET NO. 50552

**APPLICATION OF KELLY G.
BREWER FOR A CLASS D ANNUAL
RATE ADJUSTMENT**

§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S MOTION TO DISMISS

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Motion to Dismiss. Staff recommends that the application be dismissed without prejudice. In support, Staff shows the following:

I. BACKGROUND

On February 14, 2020, Kelly G. Brewer (K. Brewer) filed an application for an annual rate adjustment under Texas Water Code (TWC) § 13.1872.

On July 24, 2020, the administrative law judge (ALJ) issued Order No. 4, which established a deadline of September 24, 2020 for Staff to file a supplemental recommendation on the sufficiency of the application or a motion to dismiss, if appropriate. Therefore, this pleading is timely filed.

II. MOTION TO DISMISS

Staff filed a letter setting out the deficiencies in the application on February 24, 2020. To date, K. Brewer has not responded. Therefore, Staff recommends that the application be dismissed without prejudice pursuant to 16 Texas Administrative Code (TAC) § 22.181(d)(6) and (7).

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that the application be dismissed without prejudice.

Dated: September 23, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Merritt Lander _____
Merritt Lander
State Bar No. 24106183
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7290
(512) 936-7268 (facsimile)
Merritt.Lander@puc.texas.gov

DOCKET NO. 50552

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 September 23, 2020 in accordance with the Order Suspending Rules issued in Project No. 50664.

/s/ Merritt Lander _____
Merritt Lander

DeAnn T. Walker
Chairman

Arthur C. D'Andrea
Commissioner

Shelly Botkin
Commissioner

John Paul Urban
Executive Director



Greg Abbott
Governor

Public Utility Commission of Texas

September 23, 2020

Via Facsimile 512-475-0680

Coastal Coordination Council Secretary
Texas General Land Office
P. O. Box 12873
Austin, Texas 78711-2873

RE: **Project No. 32515**
Texas Coastal Management Program Quarterly Report
3rd Quarter FY 2020

Dear Coastal Coordination Council Secretary:

As required by Section 505.30(e) of the Texas Coastal Management Program and 16 Texas Administrative Code § 25.102, the Commission's records indicate that for the 3rd Quarter period of March 1, 2020 through May 31, 2020, five applications for certificate of convenience and necessity (CCN) involving a transmission line or generation facilities were filed. The Commission approved a total of five applications for transmission facilities in the 3rd quarter of FY 2020, none of which is subject to CMP oversight. There is one docket currently pending that is subject to CMP oversight.

There have been no new rules or amendments to 16 TAC § 25.102 relating to the Coastal Management Program since the last report. If you need any further information regarding the above, please contact Theresa Walker at (512) 936-7252.

Sincerely,

A handwritten signature in black ink, appearing to read "John Paul Urban".

John Paul Urban
Executive Director

q:\cadm\doCKET management\electric\ccn\coastal mgmt program\letters\2020 letters\2020_3 qtr ltr.docx



Printed on recycled paper

An Equal Opportunity Employer

1701 N. Congress Avenue PO Box 13326 Austin, TX 78711 512/936-7000 Fax: 512/936-7003 web site: www.puc.texas.gov