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

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PUBLIC UTILITY COMMISSION  
OF TEXAS

**COMMISSION STAFF'S STATUS REPORT  
AND PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Status Report and Proposed Procedural Schedule. In support, Staff shows the following:

**I. BACKGROUND**

On February 14, 2020, Kelly G. Brewer (Mr. Brewer) filed an application for an annual rate adjustment under Texas Water Code (TWC) § 13.1872. Order Nos. 2, 3, and 4 found the application insufficient and ordered Mr. Brewer to cure the deficiencies identified by Staff. Staff attempted to call Mr. Brewer regarding the application on April 12, 2020. Mr. Brewer did not submit any addition information in response and did not respond to Staff's motion to dismiss filed on September 23, 2020. The motion to dismiss was considered at the Open Meeting held on November 19, 2020.<sup>1</sup> During the open meeting, it was recommended that Staff again attempt to contact Mr. Brewer, and, following that effort, submit a filing.<sup>2</sup>

**II. STATUS REPORT**

Staff from the Commission's Department of Utility Outreach contacted Mr. Brewer by telephone on November 19 and 23, 2020 and emailed Mr. Brewer a copy of his current tariff, as well as links to the most recent version of the Class D rate adjustment application, the most recent notice forms, and instructions for completing the application. A representative for Mr. Brewer has indicated Mr. Brewer's intent to file materials to cure the deficiencies identified by Staff on February 24, 2020, and Staff has been working with the applicant to that end.

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<sup>1</sup> Open Meeting Tr at 65-68 (Nov. 11, 2020)

<sup>2</sup> *Id.* at 66:15-68:3.

### III. PROPOSED PROCEDURAL SCHEDULE

Based on Mr. Brewer's willingness to file materials to cure the identified deficiencies, Staff proposes the following procedural schedule for further processing of this docket:

Deadline for Mr. Brewer to file information to cure the deficiencies identified in the application	January 7, 2021
Deadline for Staff to review Mr. Brewer's supplemental filing and make a supplemental recommendation on the administrative completeness of the application	January 28, 2020

### III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that an order be issued adopting the proposed procedural schedule.

Dated: December 9, 2020

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 December 9, 2020 in accordance with the Order Suspending Rules issued in Project No. 50664.

/s/ Merritt Lander  
Merritt Lander