Control Number: 50552

Item Number: 8

Addendum StartPage: 0

APPLICATION OF KELLY G.	§	PUBLIC UTILITY COMMISSION
BREWER FOR A CLASS D ANNUAL	§	
RATE ADJUSTMENT	§	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 June 12, 2020, the administrative law judge (ALJ) issued Order No. 3, which established a deadline of July 23, 2020 for Staff to file a supplemental recommendation on the sufficiency of the application. 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).

III. CONCLUSION

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

Dated: July 23, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

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/s/ Merritt Lander
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DOCKET NO. 50552

CERTIFICATE OF SERVICE

I hereby certify that, unless otherwise ordered by the presiding officer, a true and correct copy of the foregoing document was transmitted by electronic mail to the parties of record on July 23, 2020, in accordance with the Order Suspending Rules issued in Docket No. 50664.

/s/ Merritt Lander
Merritt Lander