



## Filing Receipt

**Received - 2023-01-20 04:54:38 PM**  
**Control Number - 50721**  
**ItemNumber - 258**

**DOCKET NO. 50721**

<b>APPLICATION OF CRYSTAL CLEAR</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>WATER, INC. FOR AUTHORITY TO</b>	<b>§</b>	
<b>CHANGE RATES</b>	<b>§</b>	<b>OF TEXAS</b>

**CRYSTAL CLEAR WATER, INC.'S MOTION TO ADMIT ADDITIONAL EVIDENCE**

COMES NOW, Crystal Clear Water, Inc. (Crystal Clear), by and through its undersigned attorneys of record, and hereby files its Motion to Admit Additional Evidence (Motion) with the Public Utility Commission of Texas (Commission), and in support thereof, would respectfully show as follows:

**I. BACKGROUND**

On November 12, 2021, Crystal Clear filed its Response to the October 21, 2021, Commission Counsel Memorandum and Motion to Admit Evidence (Response). In the Response, Crystal Clear submitted the Affidavit of David Klein supporting the reasonableness of the agreed-upon rate case expenses and a copy of its rate case expenses from March 2021 to September 2021. On March 7, 2022, Crystal Clear filed a Joint Motion to Admit Additional Evidence, including a copy of the Revised Unanimous Stipulation and Settlement Agreement (Revised Agreement). Section 1.f of the Revised Agreement provides that Crystal Clear “is entitled to recover \$28,000 in rate-case expenses up to November 23, 2021, from its customers.” The Commissioners rejected the Revised Agreement at the Commission’s April 21, 2022, Open Meeting. Consequently, the Parties renewed negotiations; and Crystal Clear also engaged in preparing and conducting meetings with Commission Staff and preparing and filing responses to address issues raised in such meetings by Commission Staff, which stemmed from the new issues raised by the Commission in the April 21, 2022 meeting. There were several filings of supplemental information and requests for admission of the same into the evidentiary record in this matter. Prior to this filing, Crystal Clear requested additional rate case expenses incurred on or after April 21, 2022 through its Response to Order Remanding to Docket Management and Motion to Admit Additional Evidence filed on August 1, 2022.

On September 12, 2022, Crystal Clear filed its Supplemental Response to Order Remanding to Docket Management, Motion to Admit Additional Evidence, and Motion for Extension of Time (Supplemental Response). In the Supplemental Response, Crystal Clear

submitted a copy of its rate case expenses since October 1, 2021, not including legal expenses incurred in August 2022 or thereafter. On November 22, 2022, Crystal Clear submitted a Motion to Admit Additional Evidence with a more detailed version of its rate consultant's rate case expenses for April 2022 through August 2022. To date, Crystal Clear is still in settlement negotiations with Commission Staff, the Office of the Public Utility Counsel, and the ratepayers. Commission Staff have requested that Crystal Clear provide its rate case expenses incurred since August 2022 and an estimate of the expenses it expects to incur for the remainder of this Docket, assuming that the settlement is approved with no unexpected information requests or objections, so the Parties have all of the information they need to settle this Docket. Therefore, Crystal Clear submits the following:

## **I. MOTION TO ADMIT ADDITIONAL EVIDENCE**

Crystal Clear desires to admit the following into evidence:

- Spreadsheet of all rate case expenses incurred in this Docket through December 31, 2022, included herein as **Exhibit A**, submitted confidentially.
- Copy of rate case expenses for September 2022 through December 2022, included herein as **Exhibit B**, submitted confidentially.

## **II. SUMMARY OF RATE CASE EXPENSES**

Crystal Clear has submitted evidence of the following:

- (a) The Response to the October 21, 2021, Commission Counsel Memorandum and Motion to Admit Evidence filed on November 12, 2021 (Interchange Item Nos. 208 and 209) – rate case expense from March 2021 to September 2021.
- (b) The Joint Motion to Admit Additional Evidence, with the Revised Agreement, filed on March 7, 2022 (Interchange Item No. 223) – agreement that Crystal Clear may recover \$28,000 in rate case expenses up to November 23, 2021.
- (c) The Supplemental Response to Order Remanding to Docket Management, Motion to Admit Additional Evidence, and Motion for Extension of Time filed on September 12, 2022 (Interchange Item Nos. 241 and 242) – rate case expenses from October 2021 to July 2022.

(d) The Motion to Admit Additional Evidence filed on November 22, 2022 (Interchange Item Nos. 253 and 254) – rate consultant’s rate case expenses from April 2022 to August 2022.

(e) This Motion to Admit Additional Evidence – rate case expenses for August 2022 to December 2022. Crystal Clear has only incurred additional legal expenses since August 2022 and no rate consultant expenses.

Crystal Clear is requesting \$62,416.10 for rate case expenses incurred as of December 31, 2022, while it has actually incurred \$103,879.04 in rate case expenses. Crystal Clear estimates that it will incur an additional \$5,000 in rate case expenses for work relating to: (1) negotiating an updated settlement agreement; (2) preparing an updated settlement agreement; (3) preparing an updated Proposed Order; (4) collecting signatures for the updated settlement agreement and Proposed Order; (5) preparing, filing, and serving a Joint Motion to Admit Evidence which will include the updated settlement agreement and Proposed Order; and (6) defending the updated settlement agreement. Therefore, total expected expenses should be approximately \$67,416.10. Crystal Clear would like to note that 14 of the intervenors in this Docket did not provide an email so it has been serving these intervenors via first class mail which incurs additional costs.

### **III. CONCLUSION AND PRAYER**

For these reasons, Crystal Clear respectfully requests that the Administrative Law Judge admit Exhibit A and Exhibit B of this Motion into evidence and grant all other and further relief to which Crystal Clear may be entitled.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &  
TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
(512) 322-5800  
(512) 472-0532 (Fax)

DAVID J. KLEIN  
State Bar No. 24041257  
[dklein@lglawfirm.com](mailto:dklein@lglawfirm.com)



DANIELLE LAM  
State Bar No. 24121709  
[dlam@lglawfirm.com](mailto:dlam@lglawfirm.com)

**ATTORNEYS FOR CRYSTAL CLEAR  
WATER, INC.**

**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 via electronic mail or U.S. First Class mail on January 20, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.



Danielle Lam

**Exhibit A**

Spreadsheet of Rate Case Expenses Through December 31, 2022

**Exhibit B**

Rate Case Expenses for August 2022 through December 2022