



Control Number: 50878



Item Number: 15

Addendum StartPage: 0



Randall E. Collins

Docket No. 50878

vs.

Monarch Utilities I, L.P.

Public Utilities Commission of Texas

RESPONSE TO COMMISSION STAFF'S MOTION FOR SUMMARY

DECISION

DISCLAIMER;

The Complainant is acting Pro-Se and is not a legal attorney. Therefore He can not be held to the same standards of law as a legal attorney would be in this response.

The Commission Staff's Motion For Summary Decision is without merit and inappropriate as a mater of law and should not granted for the following reasons;

- (1). The commission based it's reason of denial of complainant's formal complaint on the issue of a water pass through charge being collected by Monarch Utilities. The issue of this water pass through charge is a side bar issue raised by the commission staff itself. The complainant did **NOT** raise this issue in his Formal Complaint. Therefore this issue is not relevant to the instant case. And cannot be a reason for denial.
- (2). The Complainant's Formal Complaint was submitted against the Public Utilities Commission itself in addition to Southwest/Monarch Utilities I.L.P. **None** of the issues raised against the Public Utilities Commission were addressed in response to the complainant's formal complaint. Please refer to attachment ( Complaint's Formal Complaint)
- (3). The commission has failed to address the issue of Southwest/Monarch Utilities being a private investor owned company rather than a Non-Profit corporation as defined by code 49.001(a)(5), TWC 31.002(g)(24) and TWC 13.004(a)(2). The commission, in addition to Monarch Utilities, has failed to provide **ANY Rule of Law** which allows a private investor owned water/waste water company to be granted a tariff priviledge and/or to operate as a public utilities provider within the State of Texas.
- (4). The complainant provided the commission with documentation ( See Attachment) proving

that CCN Number 20899, application number 34102-C, is assigned to Tecon Water Company and **NOT** to Monarch Utilities I,L.P. This issue has not been addressed by the commission in any manner whatsoever.

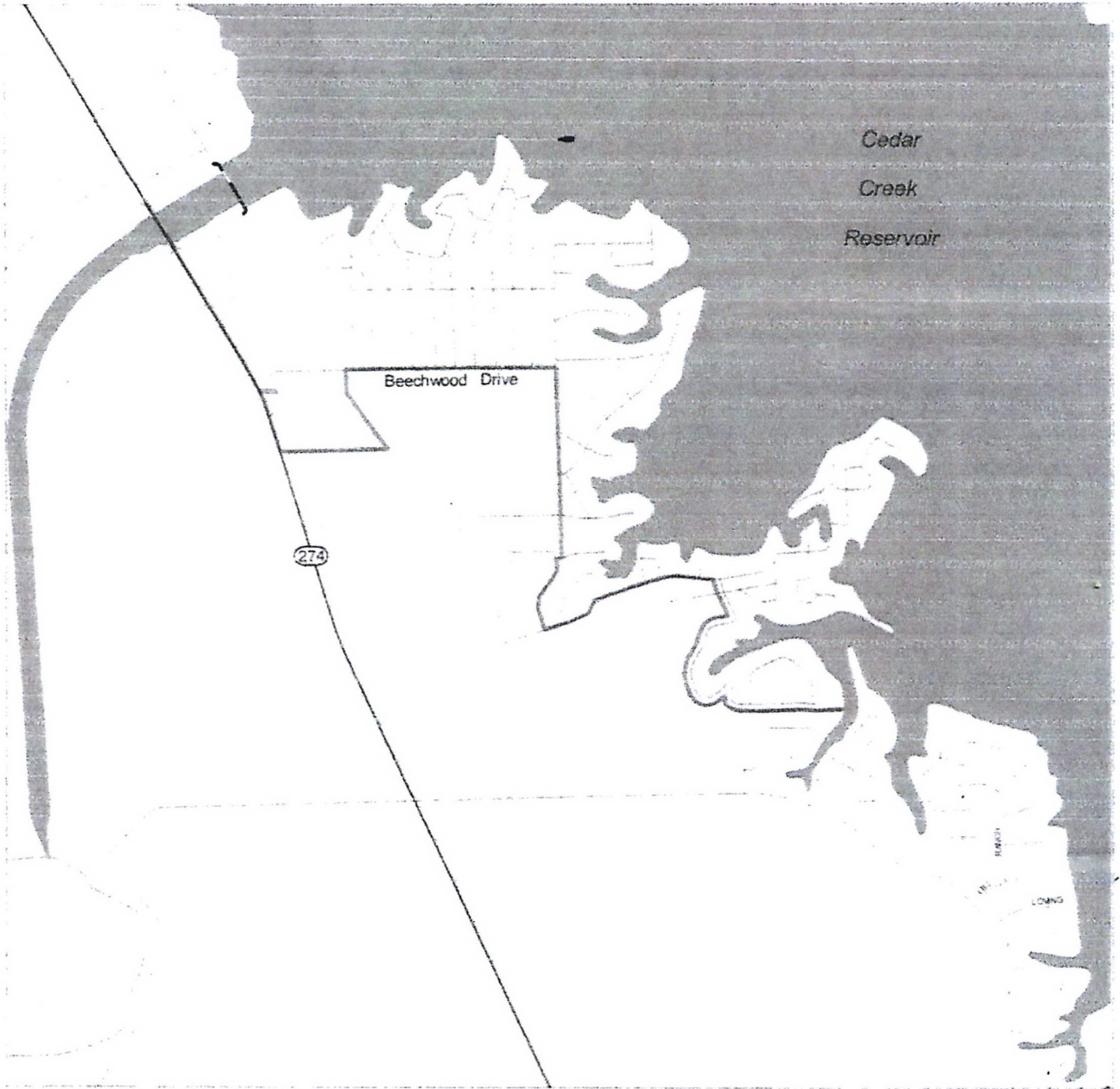
(5). The Complainant raised the issue of a violation of His Constitutional Rights under Texas Constitution Article 1 Sec. 3. The commission acknowledged this complaint but failed to fully address this issue.

(6). The Complainant alleged in His formal complaint that Southwest/Monarch Utilities is committing the criminal act of Extortion which is being **Allowed** by the commission under the banner of a approved tariff. The Commission has acknowledged this allegation but has failed to address this issue.

Respectfully Submitted

Randall E. Collins

Tecon Water Company, L.P.  
Portion of Sewer Service Area  
CCN No. 20899  
Application No. 34102-C  
Henderson County



Cedar  
Creek  
Reservoir

Beechwood Drive

274

2000 0 2000 Feet

1 inch = 2,000 feet



Sewer CCN Service Area  
20899 - TECON WATER COMPANY LP



Map by S. Jaster 11/8/2004  
Data path: s:\ud\locnicon\_working\locn.shp  
Project path: k:\gfs\projects\34102-c\_1.apr