



Control Number: 50902



Item Number: 18

Peter M. Lake
Chairman

Will McAdams
Commissioner

Lori Cobos
Commissioner

Jimmy Glotfelty
Commissioner



2022 MAR -3 PM 4:43
PUBLIC UTILITY COMMISSION
FILING CLERK

Greg Abbott
Governor

Thomas J. Gleeson
Executive Director

Public Utility Commission of Texas

TO: Peter M. Lake, Chairman
Will McAdams, Commissioner
Lori Cobos, Commissioner
Jimmy Glotfelty, Commissioner

All Parties of Record

FROM: Stephen Journeay, Commission Counsel

DATE: 3 March 2022

RE: March 10, 2022 Open Meeting – Item 18
Docket No. 50902 – *Complaint of Sharwat Quazi Against Chelford City Municipal Utility District*

A proposal for decision in the above referenced docket is posted for consideration and action by the Commission. If the Commission approves the proposal for decision, I recommend the following changes.

Proposed conclusions of law 1 and 10 should be amended to reflect that the legal basis for dismissing this proceeding is failure to state a claim, rather than lack of jurisdiction.

1. The Commission may dismiss a proceeding, with or without prejudice, upon the motion of any party, for ~~lack of jurisdiction~~ failure to state a claim under 16 TAC § 22.181(d)(1)(8).
10. Dismissal of this proceeding, with prejudice, is warranted under 16 TAC § 22.181(d)(1)(8).

Proposed conclusion of law 8 should be deleted.

8. ~~Because Ms. Quazi does not allege that the complained about conduct by Chelford City MUD is in violation of any law that the Commission has jurisdiction to administer or any order or rule of the Commission, the Commission lacks jurisdiction to hear the complaint.~~

Ordering paragraph 2 should be amended to reflect the modified basis for dismissal.

2. The Commission dismisses, with prejudice, this complaint for ~~lack of jurisdiction~~
failure to state a claim.

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

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