



Control Number: 51091



Item Number: 2

Addendum StartPage: 0



DOCKET NO. 51091

**COMPLAINT OF RIO ANCHO
HOMEOWNERS ASSOCIATION AND
DAVID AND DOREEN MEYERS
AGAINST AQUA TEXAS, INC.**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**ORDER NO. 1
REQUIRING RESPONSES**

I. Background

This Order addresses the July 20, 2020, complaint of Rio Ancho Homeowners Association and David and Doreen Meyers (collectively Rio Ancho) against Aqua Texas, Inc. regarding water service. This complaint was filed under 16 Texas Administrative Code (TAC) § 22.242 and is available on the Commission's Interchange webpage at, <https://interchange.puc.texas.gov>.

II. Requiring Response

By August 10, 2020, Aqua Texas must file a response to the complaint, as required by 16 TAC § 22.78. The response must address the following:

1. the Commission's jurisdiction over this proceeding;
2. allegations raised in the complaint;
3. applicable statutes, rules, orders, and tariff provisions;
4. copies of any rates or tariffs that are the subject of this complaint; and
5. any other matters relevant to the complaint.

III. Statement of Position from Commission Staff

Commission Staff is required to file a statement of position regarding the complaint by August 19, 2020. As part of the statement of position, Commission Staff must address whether Rio Ancho complied with the requirements for informal resolution in accordance with 16 TAC § 22.242(c) and the requirement to first present the complaint to the city in which complainants live, if applicable, in accordance with 16 TAC § 22.242(e).

IV. Certificate of Service Required

In all future filings, the complainant must include a certificate of service in compliance with 16 TAC § 22.74(e). **Service of pleadings is typically governed by 16 TAC § 22.74.**

However, the Commission has issued an Order Suspending Rules,¹ which has suspended certain service requirements found in 16 TAC § 22.74. Accordingly, a filing party must provide notice by e-mail of any pleading or document filed. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

All parties must provide their current address, **e-mail address**, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. **The e-mail addresses**, telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

V. Filings

Filing of pleadings is typically governed by 16 TAC § 22.71. However, the Commission has issued an Order Suspending Rules,² which has suspended certain filing requirements found in 16 TAC § 22.71. As long as the Order Suspending Rules remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website (<https://interchange.puc.texas.gov/filer>) and provide notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

Unless otherwise specified, responses or replies to any motion or other pleading must be filed within five working days after the date on which the motion or other pleading was received by the responding party. Failure to file a timely response will be considered acquiescence to the relief requested.

¹ *Issues Related to the State of Disaster for the Coronavirus Disease*, Docket No. 50664, Order Suspending Rules (March 16, 2020).

² *Id.*

Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

VI. Ex Parte Communications

Ex parte communications with the administrative law judge (ALJ) are prohibited per 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

VII. Notifying Office of Public Utility Counsel

The Office of Public Utility Counsel is notified of this proceeding by copy of this Order.

Signed at Austin, Texas the 22 day of July 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Katie Moore", is written over a horizontal line.

KATIE MOORE
ADMINISTRATIVE LAW JUDGE