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PUC DOCKET NO. 51156

COMPLAINT OF SHANEKA L. BUSBY	§	PUBLIC UTILITY COMMISSION
BAKER AGAINST THE VERANDA	§	
APARTMENTS AND DENTON PUBLIC	§	OF TEXAS
FACILITY CORPORATION	§	

AGREED MOTION TO DISMISS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Pursuant to 16 TAC § 22.101, McKinney Denton Apartments Ltd. c/o Denton Public Facility Corporation for the Veranda Apartments (“Veranda”) files this Agreed Motion to Dismiss the complaint of Shaneka L. Busby Baker against the Veranda Apartments and Denton Public Facility Corporation. In support, Veranda respectfully shows as follows:

I. Background

On or about August 10, 2020, Ms. Baker filed a formal complaint against Veranda with the Public Utility Commission of Texas (“PUC” or “Commission”). Ms. Baker’s complaint regards charges for water service to her apartment unit at facilities owned or managed by Veranda. Since the filing of the complaint the parties have worked to reach an agreed settlement of the issues which led to the complaint. On September 9, 2021, Commission Staff recommended that the parties file a status report not later than October 1, 2021.

II. Complainant’s Letter Requesting Withdrawal of Complaint

On September 30, 2021, Ms. Baker signed a written request to withdraw her complaint against Veranda. A copy of this letter addressed to the Commission and Administrative Law Judge is attached to this Motion as Attachment A and incorporated as if fully set forth herein. Ms. Baker’s letter informs the Commission of her desire to withdraw the complaint.

III. Request to Withdraw Complaint

Pursuant to 16 TAC § 22.181(g)(1), a party that initiated a proceeding can withdraw its complaint at any time before the party has presented its direct case. Ms. Baker has not presented her direct case. Veranda moves that this docket be closed because Ms. Baker's letter is a request to withdraw the complaint against Veranda in this docket pursuant to 16 TAC § 22.181(g)(1).

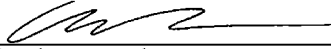
IV. Motion to Dismiss

Alternatively, Veranda moves to dismiss this complaint against it pursuant to 16 TAC § 22.181(d)(2) and (10) because there are no remaining issues in dispute and Ms. Baker requests to withdraw her complaint. Further, Veranda and Ms. Baker have both conferred with Commission Staff on this motion. Commission Staff indicated that it has been informed throughout the settlement process and is satisfied that the settlement resolves the underlying issues of the complaint and recommends that it was done in accordance with Commission Staff's recommendations filed in Commission Staff's Supplemental Statement of Position. Therefore, all parties agree with the dismissal of this case.

V. Prayer for Relief

Wherefore, Veranda moves that this docket be dismissed or otherwise closed because the attached letter of Ms. Baker is a request to withdraw the complaint as to Veranda in this docket pursuant to 16 TAC § 22.181(g)(1). Alternatively, Veranda moves to dismiss this complaint against the company pursuant to 16 TAC § 22.181(d)(2) and (10) because there are no remaining issues in dispute and Ms. Baker requests to withdraw her complaint. Veranda requests any other relief to which it may be entitled.

Respectfully submitted,

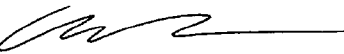


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument will be served on all parties of record in this proceeding in compliance with PUC rules and orders on October 1, 2021.



Andres Medrano

September 21, 2021

Public Utility Commission of Texas
Central Records Division
1701 Congress Avenue
PO Box 13326
Austin, TX 78711-3326

Filing Re: *Docket No. 51156 –Complaint of Shaneka L. Busby Baker against the Veranda Apartments and Denton Public Facility Corporation.*

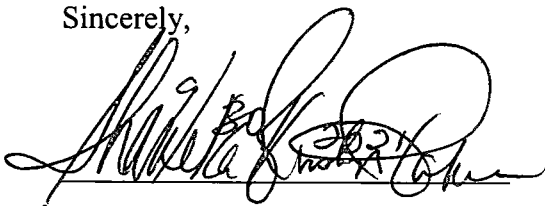
To whom it may concern,

I, Shaneka L. Busby Baker, have reached settlement with Veranda Apartments and Denton Public Facility Corporation regarding my water account and the subject matter of the formal complaint.

I respectfully request that my formal complaint (Docket No. 51156) be withdrawn in its entirety against Veranda Apartments and Denton Public Facility Corporation. The parties have reached a satisfactory agreement on all issued.

Please feel free to contact me if any additional information is needed.

Sincerely,



Shaneka L. Busby Baker

9-30-2021

Date