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Received - 2021-11-02 12:14:52 PM
Control Number - 51224
ItemNumber - 122



State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

November 2, 2021

TO: Stephen Journey, Commission Counsel
Commission Advising and Docket Management
William B. Travis State Office Building
1701 N. Congress, 7th Floor
Austin, Texas 78701

VIA EFILE TEXAS

RE: SOAH Docket No. 473-21-1880.WS
PUC Docket No. 51224

***JOHN BLALOCK AND MERCY WATER SUPPLY CORPORATION V.
PUBLIC UTILITY COMMISSION OF TEXAS***

Dear Mr. Journey:

On September 30, 2021, the undersigned Administrative Law Judge (ALJ) issued the Proposal for Decision (PFD) in this case. On October 12, 2021, John Blalock (Complainant) filed exceptions to the PFD. Mercy Water Supply Corporation (Mercy) and the Public Utility Commission of Texas (Commission) staff (Staff) filed notices of no exceptions, then filed replies to Complainant's exceptions on October 21 and 22, 2021, respectively; and Complainant filed responses to both their replies to his exceptions on October 22, 2021.

In this case, the ALJ found that Complainant never completed the application for service required by Mercy's tariff and is not a customer of Mercy; therefore, Complainant is not entitled to water service. The ALJ's ultimate recommendation—that this matter be dismissed for failure to state a claim for which relief can be granted and for mootness—was based on the ALJ's evaluation of all of the evidence and law as described in the PFD.

On page 6 of his exceptions, Complainant lists facts that he maintains were omitted from the PFD. However, the facts listed by Complainant are irrelevant to the dispositive issue of Complainant's failure to apply for membership in Mercy and resulting lack of entitlement to water service.

Complainant's exceptions make arguments that were fully considered by the ALJ and were discussed in the PFD and are not addressed again here. The ALJ has no changes to the PFD.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Hunziker". The signature is fluid and cursive, with the first name "Heather" being more prominent than the last name "Hunziker".

Heather Hunziker
Administrative Law Judge

xc: All Parties of Record