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	PUC DOCKET:	
COMPLAINT OF JOHN	51224	PUBLIC UTILITY
BLALOCK AGAINST	SOAH DOCKET:	COMMISSION OF TEXAS
MERCY WATER SUPPLY	473-21-1880. WS	
CORPORATION		

NOTICE OF APPEAL

COMES NOW Complainant John Blalock (hereinafter “Mr. Blalock”) to give Notice of Appeal in Public Utility Commission (hereinafter “PUC”) Docket Number: 51224:

1. The PUC failed in giving proper notice of the Open Meeting being held in person and not over Zoom.
2. The PUC staff and SOAH have ignored precedents of oral contract and oral modifications to contracts. *Garcia v Karam* (Texas Supreme Court, 1955). The aforementioned case would have bearing on this case as the oral contract between Mr. Blalock and Mercy, would also legally count as oral modifications on the written contract between Ms. Ivey and Mercy, as Mr. Blalock holds Ms. Ivey’s interest in all existing contracts that do not contain a clause that ends the contract at the time of Ms. Ivey’s death, as a part of Ms. Ivey’s estate.
3. The PUC by not allowing the meeting to be done on Zoom have created a violation of Mr. Blalock’s right to due process, as he: (1) is out of state for treatment for a disease that the PUC is aware of; (2) lives over five (5) hours away, creating an undue burden for Mr. Blalock to attend had he been at home; and (3) has health conditions that make it impossible for him to attend a meeting in an enclosed room, forcing him to choose between attending and his health, creating a violation of the Americans with Disabilities Act as the PUC did not give alternatives for him to attend. Mr. Blalock would have been

able to give comments and object to statements made by the Commission, Commission Staff, or other parties.

4. The SOAH did not follow procedure when denying Mr. Blalock's Motion for Reconsideration as no proper order denying the motion had been signed and filed by the Administrative Law Judge.
5. The PUC, through the Commission Counsel, are still not including the full evidence in the findings, such as: (1) that Mercy did not follow their tariff in the cancelation of Reba Ivey's (hereinafter "Ms. Ivey") account/membership; (2) Mercy has illegally held onto funds owed to Mr. Blalock, creating a pool of funds that has reached a value of \$1,745.21 USD; and (3) that the service to Ms. Ivey's account was to the Northern Tract, not intended for the Southern Tract, as evidenced by the Partition Deed and the records for Ms. Ivey's account.
6. The PUC and the SOAH are not applying 16 Texas Administrative Code (hereinafter "TAC") 24.25, which Mercy is in violation of by not properly canceling Ms. Ivey's membership, turning over the funds to Mr. Blalock, by not having their tariff available, and by not informing Mr. Blalock of their policies and the paperwork needed to transfer Ms. Ivey's account and membership to himself.

CONCLUSION

Mr. Blalock is timely filing a Notice of Appeal in this case on the aforementioned basis. As this decision gets rid of all parties and claims, it can be appealed under the Rules of Civil Procedure and the Rules of Appeal.

REQUEST FOR RELIEF

Mr. Blalock respectfully request that the final order in this case be appealed.

RESPECTFULLY SUBMITTED BY,

/s/ John Blalock