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DOCKET NO. 51224

**COMPLAINT OF JOHN BLALOCK
AGAINST MERCY WATER SUPPLY
CORPORATION**

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§

**PUBLIC UTILITY COMMISSION
OF TEXAS**



**ORDER NO. 5
DENYING REQUEST TO RECONSIDER ORDER NO. 3**

This Order addresses Mercy Water Supply Corporation's September 17, 2020 request for reconsideration of Order No. 3, which required Mercy Water Supply to restore water service to Mr. Blalock during the pendency of this proceeding. Specifically, Mercy Water Supply argued that Mr. Blalock is not a customer and, therefore, the disconnection requirements in Texas Water Code (TWC) § 13.250(b) do not apply. Alternatively, Mercy Water Supply argued that if Mr. Blalock is to be classified as a customer, then the disconnection was allowed under TWC § 13.250(b)(4), which permits disconnection for other similar reasons in the usual course of business, and under 16 Texas Administrative Code (TAC) § 24.167(b)(2), which permits disconnection where service is connected without authority by a person who has not made an application for service.

On the same date, Mr. Blalock responded to Mercy Water Supply's request to reconsider Order No. 3, alleging facts to dispute Mercy Water Supply's arguments that he is not a customer and that his water connection was without authority.

On September 25, 2020, Commission Staff filed a supplemental recommendation regarding Mercy Water Supply's request to reconsider Order No. 3. As part of its recommendation, Commission Staff's position is that Mercy Water Supply did not provide a compelling reason to deny Mr. Blalock the interim relief of having his water service restored pending resolution of this complaint. Further, Commission Staff stated that the arguments made by Mr. Blalock and Mercy Water Supply demonstrate that there are facts in dispute in this case.

The administrative law judge denies Mercy Water Supply's motion for reconsideration of Order No. 3 and reaffirms that Mercy Water Supply must, under 16 TAC § 24.155(a), immediately restore water service to Mr. Blalock and is prohibited from ceasing to provide continuous and adequate water service to Mr. Blalock pending resolution of this proceeding.

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Signed at Austin, Texas the 28th day of September 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'Isaac TA', with a long horizontal flourish extending to the right.

ISAAC TA
ADMINISTRATIVE LAW JUDGE