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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**

**COMMISSION STAFF'S COMMENTS AND RECOMMENDATION
REGARDING WHETHER WATER SERVICE SHOULD BE RESTORED**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Comments and Recommendation Regarding Whether Water Service Should be Restored. In support thereof, Staff shows the following:

I. BACKGROUND

On August 27, 2020, John Blalock (Complainant) filed a complaint against Mercy Water Supply Corporation (Mercy WSC) under 16 Texas Administrative Code (TAC) § 22.242 regarding water service.

Order No. 1, issued on August 31, 2020, established a deadline of September 4, 2020 for Staff to file a recommendation on whether water service should be restored to Mr. Blalock under 16 TAC § 24.155 during the pendency of this proceeding. On September 4, 2020, Staff filed a request for extension to allow Staff to further analyze whether water service should be restored to Mr. Blalock. Order No. 2, issued on September 8, 2020, granted Staff's request for extension and established a new deadline of September 11, 2020 for Staff to file the recommendation. Therefore, this pleading is timely filed.

II. COMMISSION STAFF'S COMMENTS

Prior to filing this formal complaint, Mr. Blalock initiated an informal complaint against Mercy WSC with the Customer Protection Division (CPD) on August 10, 2020.¹ Staff reviewed CPD records and confirmed that the informal complaint matches the parties and subject matter of the formal complaint. CPD concluded its investigation on August 24, 2020, whereby it notified both parties in writing regarding the status of the informal complaint. At this time therefore, the

¹ Complaint No. CP2020080355.

Complainant has been without water service for approximately 30 days. Mercy WSC has not yet filed a response to Mr. Blalock's formal complaint in this docket.

III. RECOMMENDATION

The Commission's rules state that "[t]he [C]ommission may require continuation or restoration of service pending resolution of a complaint."² Mercy WSC holds water CCN No. 11652. A CCN holder can only discontinue service for the reasons included in Texas Water Code 13.250(b). It is unclear to Staff that the rationale for the cessation of service meets any of the permitted reasons listed in 13.250(b). Therefore, Staff recommends that Mercy WSC be required to restore service until the record can be developed to discern whether the disconnection was for a permitted reason. This recommendation does not address the merits of Mr. Blalock's complaint against Mercy WSC.

IV. CONCLUSION

Staff recommends the entry of an order consistent with the forgoing recommendation.

² 16 TAC § 24.155(a).

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/ David Hoard
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CERTIFICATE OF SERVICE

I hereby certify that, unless otherwise ordered by the presiding officer, a true and correct copy of the foregoing document was transmitted by electronic mail to the parties of record on August 25, 2020 in accordance with the Order Suspending Rules issued in Docket No. 50664.

/s/ David Hoard
David Hoard