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DOCKET NO. 51764

COMPLIANCE FILING FOR	§	PUBLIC UTILITY COMMISSION
DOCKET 49758 (APPLICATION OF	§	
MARK PATTERSON FOR	§	OF TEXAS
TEMPORARY RATES FOR A	§	
NONFUNCTIONING UTILITY)	§	

**ORDER NO. 23
REQUIRING CLARIFICATION**

On May 22, 2024, Commission Staff filed its response to Order No. 21 in which Commission Staff recommended the following:

1. The temporary rates expiration date coincide with the date [Mark] Patterson was released as the receiver of Sunset Water System, April 29, 2024.
2. The temporary rates and tap fees are reasonable to carry forward as permanent rates for the Sunset Water System until the next rate case submitted by Patterson Water, and
3. The Commission approve the attached tariff.¹

In Order No. 22 filed on June 28, 2024, the administrative law judge directed Commission Staff to identify the authority under which the Commission can authorize the temporary rates and tap fees as permanent rates without a base rate proceeding.

On July 16, 2024, Commission Staff stated, “Following a review of the relevant Commission rules, governing statutes, and case law, Staff concludes that there exists no authority under which the Commission can approve the temporary rates and tap fees to continue absent a base rate proceeding.” Commission Staff additionally attached Sunset Water System’s most recent approved tariff.

By September 10, 2024, Commission Staff must clarify the following:

1. Whether reconciliation of the temporary rates approved in Docket No. 49758² is necessary, i.e. whether a refund or surcharge is necessary;
2. The tariff that is currently in effect for Sunset Water System; and

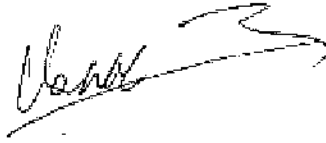
¹ Commission Staff’s Response to Order No. 21, Memorandum of Patricia Garcia.

² *Application of Mark Patterson for Temporary Rates for Temporary Rates for a Nonfunctioning Utility*, Docket No. 49758, Order (Feb. 12, 2021).

3. Whether there are any remaining issues to be addressed in this docket and whether it can be closed.

Signed at Austin, Texas on the 26th day of August 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'Isaac TA', written over a horizontal line.

**ISAAC TA
ADMINISTRATIVE LAW JUDGE**