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DOCKET NO. 51764

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

**MARK PATTERSON’S RESPONSE TO COMMISSION STAFF’S RESPONSE TO
ORDER NO. 25 AND PROPOSED PROCEDURAL SCHEDULE**

On February 4, 2025, the ALJ in this docket filed Order No. 25, requiring Staff of the Public Utility Commission of Texas (“Commission”) to file a proposed procedural schedule for the reconciliation review of the temporary rates approved by the Commission in its order filed on February 12, 2021, in Docket No. 49758. On February 20, 2025, Staff filed a Response to Order No. 25, which included a proposed procedural schedule. Mark Patterson (“Mr. Patterson”) hereby files a response to Staff’s response and proposed procedural schedule.

I. Reconciliation Review

On January 16, 2025, the Commission issued an Interim Order in this docket (“Interim Order”) relieving Mr. Patterson of his duties as Receiver in Compliance Docket No. 49758 and providing the following:

1. The Commission terminates the temporary rates approved in the Commission’s temporary rates order, effective the date of this Order (January 16, 2025);
2. The Commission approves the tariff attached to Commission Staff’s response to Order No. 23, effective the date of this Order (January 16, 2025); and
3. The temporary rates approved by the Commission’s temporary rates order must be reconciled in this docket. For the reconciliation review, revenues received through the temporary rates will be compared to the actual expenses incurred by Oak Shores. The Commission may order a refund or surcharge following its reconciliation review.¹

¹ PUC Interchange Item 59, *Interim Order* (Jan. 16, 2025), Ordering Paragraphs 3-4, and 6 (page 5).

Additionally, pursuant to the Commission Order signed on February 12, 2021 (“2021 Order”) in Commission Docket No. 49758, Application of Mark Patterson for Temporary Rates for Services Provided for a Nonfunctioning Utility, reconciliation should occur as follows:

For the reconciliation review, revenues received through the temporary rates will be compared to the actual expenses incurred by the utility. The receiver must file invoices, cancelled checks, or other documentation to support all actual expenses. The receiver must categorize all actual expenses into two categories: a) operating expenses; or b) repair, replacement or improvement expenses.²

In Commission Staff’s Response to Order No. 25, Staff proposed a procedural schedule for adoption containing the following proposed *action* for Mr. Patterson:

March 7, 2025: Deadline for Mr. Patterson to make a filing indicating whether or not the temporary receiver’s fee of \$12 for all accounts and bills was charged on or after April 29, 2024 and to indicate the total amount charged after April 29, 2024.³

Staff’s proposed procedural schedule does not address the reconciliation review that is required for this docket pursuant to the Interim Order and Order No. 25 issued in this docket and the 2021 Order issued in Docket No. 49758.

II. Proposed Procedural Schedule

For the reasons discussed above, Mr. Patterson respectfully proposes for adoption the following procedural schedule for the reconciliation review of the temporary rates:

² See PUC Interchange Item 43 (Feb. 12, 2021) in Docket No. 49758, Ordering Paragraph 3 (page 5).

³ See PUC Interchange Item 63 (Feb. 20, 2025) in Docket No. 51764 (page 2).

Action	Date
Deadline for Mr. Patterson to file documentation for the reconciliation review to compare revenues received through the temporary rates to the actual expenses incurred by the utility, including invoices, cancelled checks, or other documentation to support all actual expenses.	March 14, 2025
Deadline for Staff to provide a recommendation regarding reconciliation and to provide a procedural schedule for the continued processing of this docket.	March 28, 2025

III. Conclusion

For the reasons discussed above, Mr. Patterson respectfully requests that the Commission adopt Mr. Patterson’s proposed procedural schedule for the reconciliation review.

Respectfully submitted,

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ATTORNEY FOR MARK PATTERSON

CERTIFICATE OF SERVICE

I certify that notice of the filing of this document was provided to all parties of record via electronic mail on March 6, 2025, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Kristen O. Fancher
Kristen O. Fancher