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**COMPLAINT OF NUECES BAY
TRACTS, LLC AGAINST RINCON
WATER SUPPLY CORPORATION**

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**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

**RINCON WATER SUPPLY CORPORATION'S
PROPOSED LIST OF ISSUES TO BE ADDRESSED**

Respondent Rincon Water Supply Corporation (“Rincon”) files this proposed list of issues to be addressed as required by the Order of Commission Counsel dated July 27, 2021. Because this is a complaint proceeding filed by Nueces Bay Tracts, LLC (“NBT”) as a developer applying for water service to its proposed new subdivision, the relevant issues can only be those raised in NBT’s amended complaint which are five alleged violations of Rincon’s tariff requirements. In its Response to Amended Complaint filed in this docket on June 24, 2021 (Interchange Item No. 11), Rincon responded in detail to those five alleged violations of Rincon’s tariff.

I. Proposed List of Issues to be Addressed

1. Did Rincon violate Section 3.06(iv) of its tariff by failing to notify NBT within five days of Rincon’s determination that NBT “failed to timely comply with a prior written statement or commitment” when Rincon refunded the refundable portions of the 13 service application fees paid for by NBT on February 19, 2017?
2. Did Rincon violate Section 3.07(a)(iv)(j)(ii) of its tariff by failing to open and publicly read aloud the bid for water line construction that was to be considered by the Rincon Board of Directors at its August 20, 2019 meeting?
3. Did Rincon violate Section 3.08(a) of its tariff by initially requiring NBT to comply with the City of Portland’s development standards requiring 6-inch water lines for fire protection purposes?

4. Did Rincon violate Section 3.06(a)(vii) of its tariff by requiring NBT to obtain private water line easements from two property owners when such easements were allegedly unnecessary due to there being an existing water line easement on those two properties?
5. Did Rincon violate Section 3.06(iv) of its tariff by failing to notify NBT within five days of Rincon's determination that NBT "failed to timely comply with a prior written statement or commitment" when Rincon determined that pumping station capacity upgrades would be necessary to serve NBT's latest revised project proposal?

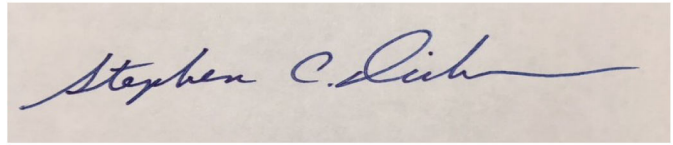
II. Issues Not to be Addressed and Threshold Legal and Policy Issues

Because this is a complaint proceeding, the only relevant issues are those raised in the filed complaint. Therefore no issues beyond those raised in NBT's amended complaint need to be, nor should be, considered in this docket. Rincon does not know of any threshold legal or policy issues that should be briefed for purposes of a preliminary order.

III. Conclusion

Because this is a complaint case, the only relevant issues are those raised by NBT as the complainant which are those listed above as Nos. 1 through 5. Rincon has already responded in detail to the above issues in its June 24 response to NBT's amended complaint. Notwithstanding NBT's filing of this complaint proceeding, Rincon has diligently continued the required engineering design work for installation of the lines and facilities necessary to serve NBT's new subdivision, and currently Rincon is very close to advertising for bids for the construction work. Accordingly, not only is there no basis for finding that Rincon has refused to serve NBT, there is no need for remedial action to be ordered by the Commission.

Respectfully submitted,

A handwritten signature in blue ink on a light-colored background. The signature reads "Stephen C. Dickman" in a cursive script.

Stephen C. Dickman

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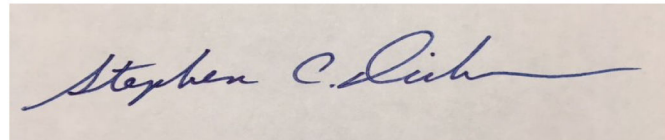
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ATTORNEY FOR RINCON WSC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on August 4, 2021 in accordance with the Order Suspending Rules issued in Project No. 50664.

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Stephen C. Dickman