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**COMPLAINT OF NUECES BAY § BEFORE THE
TRACTS, LLC AGAINST RINCON § PUBLIC UTILITY COMMISSION
WATER SUPPLY CORPORATION § OF TEXAS**

NUECES BAY TRACTS, LLC'S LIST OF ISSUES

COMES NOW, Nueces Bay Tracts, LLC (“Complainant” or “Nueces Bay”) and files this List of Issues in response to the Order Requesting List of Issues and, in support thereof, would respectfully show the following.

I. BACKGROUND

On February 3, 2021, Nueces Bay filed a formal complaint against Rincon Water Supply Corporation (“Rincon”) with the Commission for refusal to provide it water service. On July 27, 2021, Commission Counsel issued an order requesting the parties file their List of Issues by August 5, 2021. Therefore, Nueces Bay files these List of Issues timely.

II. LIST OF ISSUES TO BE ADDRESSED

In order to assist the Commission in drafting and issuing a preliminary order in this docket, Nueces Bay identifies the following issues to be addressed in any proceeding. This list is not intended to be exhaustive, and Nueces Bay reserves the right to address additional issues raised by other parties or that may arise in the future and are set forth below:

1. Has Rincon violated 16 TAC §§ 24.161 and 24.247(a) or any other law by refusing to provide timely, continuous and adequate water service to Nueces Bay whose property is within Rincon’s certificate of convenience and necessity (“CCN”) area?
2. Has Rincon violated Tex. Water Code Ann § 13.004(a)(2) by failing to act as a non-profit corporation by violating its tariff or other applicable rules, such that the Commission may order Rincon to provide water service to Nueces Bay?

III. ISSUES NOT TO BE ADDRESSED

Nueces Bay has not identified any issues that should not be addressed at this time.

IV. THRESHOLD ISSUES TO BE BRIEFED

Nueces Bay has not identified any threshold or policy issues at this time.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, Nueces Bay respectfully prays that the Commission issue an Order consistent with the issues as set forth above.

Respectfully submitted,

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Helen S. Gilbert

**ATTORNEY FOR NUECES BAY
TRACTS**

CERTIFICATE OF SERVICE

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 5th of August 2021.



Helen S. Gilbert