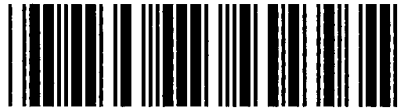




Control Number: 51787



Item Number: 8

Addendum StartPage: 0

**DOCKET NO. 51787**

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

§  
§  
§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

RECEIVED  
2021 MAR 10 AM 10:20  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**ORDER NO. 2  
GRANTING WAIVER FOR GOOD CAUSE  
AND ESTABLISHING COMMISSION STAFF DEADLINE**

This Order addresses Commission Staff's March 5, 2021 statement of position in the above-styled and numbered complaint.

**I. Waiver**

Commission Staff recommends that the informal resolution requirements for filing an informal complaint under 16 Texas Administrative Code § 22.242(c) be waived for Nueces Bay Tracts, LLC. Specifically, Nueces Bay filed an informal complaint on November 2, 2020, which was resolved by the Commission's Customer Protection Division, including a recommendation that the informal resolution requirements be waived for good cause.<sup>1</sup> Commission Staff also contends that, because Nueces Bay does not receive water utility service within the city limits of any municipality or city, and because Rincon Water Supply Corporation is a water supply corporation for which a city cannot have original jurisdiction, the requirements in 16 TAC § 22.242(e) do not apply in this case.

The administrative law judge grants, for good cause, waiver of the informal resolution requirements of 16 TAC § 22.242(c) to Nueces Bay.

**II. Supplemental Statement of Position**

Commission Staff also requests additional time to conduct discovery and file a supplemental statement of position in this case. Specifically, Commission Staff states that the facts in this case are in dispute, seeks additional time to conduct informal discussions with Nueces Bay and Rincon Water Supply Corporation, and to issue formal discovery, if necessary.

---

<sup>1</sup> *Complaint No. CP2020110111*, Customer Protection Division Letter to James M. Fay III (Nov. 16, 2020).

The administrative law judge grants Commission Staff's request for additional time to conduct discovery in this case. By June 3, 2021, Commission Staff must file a supplemental statement of position regarding this complaint.

**Signed at Austin, Texas the 10 day of March 2021.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in cursive script that reads "Katie Moore". The signature is written in black ink and is positioned above a horizontal line.

---

**KATIE MOORE**  
**ADMINISTRATIVE LAW JUDGE**