



## Filing Receipt

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| <b>PETITION BY RODNEY EARL</b>         | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>MOHNKE, STEPHEN LEE MOHNKE,</b>     | <b>§</b> |                                  |
| <b>MELVIN MAX MOHNKE, KENNETH</b>      | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>WAYNE MOHNKE, KATHLEEN ANN</b>      | <b>§</b> |                                  |
| <b>MOHNKE-BLAKELY AND MEL</b>          | <b>§</b> |                                  |
| <b>MOHNKE, TRUSTEE OF THE</b>          | <b>§</b> |                                  |
| <b>MOHNKE LIVING TRUST DATED</b>       | <b>§</b> |                                  |
| <b>DECEMBER 7, 1996, TO AMEND H-M-</b> | <b>§</b> |                                  |
| <b>W SPECIAL UTILITY DISTRICT'S</b>    | <b>§</b> |                                  |
| <b>CERTIFICATE OF CONVENIENCE</b>      | <b>§</b> |                                  |
| <b>AND NECESSITY IN HARRIS COUNTY</b>  | <b>§</b> |                                  |
| <b>BY EXPEDITED RELEASE</b>            | <b>§</b> |                                  |

**PETITIONER'S CORRECTION TO PROPOSED ORDER**

COME NOW, Rodney Earl Mohnke, Stephen Lee Mohnke, Melvin Max Mohnke, Kenneth Wayne Mohnke, Kathleen Ann Mohnke-Blakely and Mel Mohnke, Trustee of The Mohnke Living Trust dated December 7, 1996 (collectively "Petitioner") and files this correction to the Proposed Order distributed by Christina Denmark, Administrative Law Judge ("ALJ") on September 10, 2021. In the ALJ's cover memorandum, she allowed the parties to file corrections or exception to the Proposed Order by September 24, 2021. Therefore, this correction is timely filed. In support, Petitioner shows the following:

**I.**

**CORRECTION**

Conclusions of Law No. 15 – Texas Water Code § 13.254(d) provides that "A retail public utility may not in any way render water or sewer service directly or indirectly to the public in an area that has been decertified under this section unless just and adequate compensation required under Subsection (g) has been paid to the decertified retail public utility." Texas Water Code § 13.254(g) states "The factors ensuring that the compensation to a retail public utility is just and adequate shall

include: ....” Therefore, Petitioner request that Conclusion of Law No. 15 be revised as follows: “A retail public utility may not under TWC § 13.254(d) provide retail water service to the public within the tract of land unless just and ~~reasonable~~adequate compensation under TWC § 13.254(g) has been paid to the CCN holder.”

## II.

### CONCLUSION

Petitioner respectfully requests that the Administrative Law Judge modify the Proposed Order consistent with the correction presented herein and grant all other and further relief to which it may be entitled.

Respectfully submitted,

**DuBois, Bryant & Campbell, LLP**

By:  \_\_\_\_\_

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### **CERTIFICATE OF SERVICE**

I certify by my signature above that on the 23rd day of September, 2021, a true and correct copy of the above and foregoing document was forwarded via electronic mail to all parties of record to:

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