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TARIFF CONTROL NO. 52032

**APPLICATION OF INLINE
DEVELOPMENT INC. FOR A PASS
THROUGH RATE CHANGE**

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

NOTICE REQUIRING CLARIFICATION

This Notice addresses the need for clarification regarding whether the application at issue in this proceeding can be granted in its current form and clarification regarding interim rates.

I. Name of the Applicant

On July 19, 2021, Commission Staff filed a motion to abate the above-styled and numbered application and to file status updates, every month, beginning September 1, 2021. In the motion to abate, Commission Staff states that there is some confusion as to the current active entity for this application along with the associated tariff, map, and certificate. Commission Staff states that the proper name for the entity is Inline Utilities, LLC and the public water system identification numbers on file with the Texas Commission on Environmental Quality (TCEQ) were registered to Inline Utilities; however, the two separate tariffs filed with the application were for Inline Development, LLC and that certificate of convenience and necessity (CCN) number 12946 is issued in the name of Inline Development. Commission Staff advised that the Texas secretary of state website lists Inline Utilities as the only active entity.

On or before September 7, 2021, the parties must identify the TCEQ or Commission proceeding in which CCN number 12946 was issued, the name on the certificate that was issued, whether the listed entity was registered with the Texas secretary of state, whether the entity is still in existence and whether it is registered with the Texas secretary of state, and the proceedings in which the certificate was subsequently transferred, if any.

II. Interim Rates

On August 20, 2021, a joint motion to set interim rates was filed by Inline Development Inc. and Commission Staff. In the joint motion, the parties requested an order be entered establishing interim rates and customer service fees be set at the levels listed in the interim tariff, attached as exhibit A to the joint motion, to be effective August 25, 2021 and until a final determination is made on the proposed pass-through rate. The parties state that Inline

Development has been bearing the costs of North Harris County Regional Water Authority's increased water use fee. The attached interim tariff lists Inline Development as the utility.

In light of the uncertainty surrounding the proper applicant to this proceeding, the administrative law judge believes that the approval of interim rates and customer fees be conditioned on the requirement that all proceeds resulting from the interim rates and customer fees be deposited into an interest-bearing escrow account, under 16 Texas Administrative Code (TAC) § 24.37(e) and in accordance with 16 TAC § 24.39, during the pendency of this proceeding.

On or before September 7, 2021, Commission Staff must file comments regarding the conditional approval of the requested interim rates. If Inline Development wishes to file comments regarding the conditional approval of the requested interim rates, it must do so by September 7, 2021.

The deadlines established in the Notice Granting Motion to Abate and Abating Proceeding, filed on July 22, 2021, remain in effect.

Signed at Austin, Texas the 23rd day of August 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**