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DOCKET NO. 52226

PETITION BY OUTSIDE CITY	§	PUBLIC UTILITY COMMISSION
RATEPAYERS APPEALING THE	§	
WATER RATES ESTABLISHED BY	§	OF TEXAS
THE CITY OF MELVIN	§	

ORDER NO. 4
ABATING PROCEEDING AND REQUIRING PROOF
OF REFUNDS OR REPORT ON STATUS OF REFUNDS

This Order addresses Commission Staff's August 17, 2021 motion to abate in response to the City of Melvin's August 11, 2021 motion to dismiss. Commission Staff states that the City of Melvin, in its motion, indicated that the rates at issue in this docket had been rescinded as of August 2, 2021; thereby, causing certain ratepayers (Petitioners) of the City of Melvin's petition to become moot. The City of Melvin stated that it is committed to refunding petitioners' the difference between the January 18, 2021 rate and the previous rate used by the City of Melvin.¹ In response to the City of Melvin's refund assertions, Commission Staff requests and recommends that this proceeding and any ruling on the City of Melvin's motion to dismiss be abated, pending fulfillment of its commitment to refund the petitioners. Commission Staff recommends that the City of Melvin provide proof of the refunds, or in the alternative, provide a status report on the progress of refunds by September 1, 2021.

The administrative law judge grants Commission Staff's request to abate. Accordingly, this docket is abated, subject to the City of Melvin providing proof that refunds have been made as represented in its motion to dismiss. By September 1, 2021, the City of Melvin must file proof that the refunds have been made, or file a report regarding the status of refunds.

Signed at Austin, Texas the 17th day of August 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE

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¹ See City of Melvin's motion to dismiss (with attachments) at 1, exhibit A at 1 (Aug. 11, 2021).