



Control Number: 52226



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Docket Number 52226

28 June 2021

Attn: PUC of Texas/ Administrative Law Judge, Honorable
Christina Denmark,

2021 JUN 29 AM 9:43

FILING CLERK

Subject: Request for response extension.

Enclosed: Copy of Docket 52226

On the date of 21 June 2021, it was brought to the attention of the City of Melvin Water Board (Council and Mayor Josie Castillo), Melvin Texas that on 2 June 2021, a petition was filed with PUC by outside ratepayers, represented by Jason Jacoby and signed by PUC 11 June 2021, during a City of Melvin Water Board Meeting.

During this meeting, an outside ratepayer, whose name is on the petition, informed Mayor Castillo, and the council that a petition was filed with PUC and gave the docket number. Mayor Castillo and council adjourned the meeting in order to locate and review docket number 52226 to determine how to proceed.

Mayor Pro-Tem, Marlinda Davis located Docket Number 52226 on the PUC website and emailed the link pertaining to the active petition mentioned in the

meeting, to the City of Melvin's email address on 22 June 2021.

On 25 June 2021, City of Melvin Mayor Castillo and Council discussed and reviewed docket number 52226. Council asked to request an extension, as the original docket has yet to be received in the mail by the PO Box (777 Melvin, Texas 76858), hand delivered, or to the physical address (103 W. Hackberry Melvin, Texas 76858), of The City of Melvin. Nor was there a petition ever filed through the City of Melvin by outside ratepayers to be reviewed or discussed by council, prior to receiving this information.

The City of Melvin hereby formally requests an extension granted for a response from the date requested by PUC 12 July, 2021. We ask this for the reason of

1. We have not yet received an official docket by mail, hand delivery or to the physical address of the City of Melvin.
2. The City of Melvin's Office is only open 3 days a week (Monday- Wednesday 9AM-4PM) to review and gather information needed to respond to this matter.

The City of Melvin will also follow up with the local postmaster for the matter of missing documentation to determine the location of said docket and provide protection for future information that will be forwarded to The City of Melvin, to ensure a more timely response.

Signed 28 Day of June, 2021.

Honorable Mayor,

Josie Castillo

Mayor Pro Tem,

Marlinda Davis

City of Melvin

103 W. Hackberry

PO BOX 777

Melvin, Texas 76858

325-286-4222

cityofmelvin@centex.com



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. 1
REQUIRING RESPONSES AND
ADDRESSING OTHER PROCEDURAL MATTERS**

I. Petition

On June 10, 2021, certain ratepayers (Petitioners) of the City of Melvin filed, under Texas Water Code § 13.043(b)(3) and 16 Texas Administrative Code (TAC) § 24.101(c)(3), an appeal of Melvin's rates approved by the Melvin City Council on January 18, 2021, under city ordinance number 314 and effective with the February 2021 billing cycle.

II. Requiring Comments on the Administrative Completeness of Appeal

Commission Staff must file comments on the administrative completeness of the petition by July 12, 2021.¹

III. Response to Petition by Melvin

Melvin must file a response to the petition by July 12, 2021.

IV. Requesting Procedural Schedule

By July 19, 2021, Melvin, Petitioners, and Commission Staff must confer and file comments on how this proceeding should be processed and propose a procedural schedule.

V. Certificate of Service Required

In all future filings, Petitioners must include a certificate of service in compliance with 16 TAC § 22.74(e). Service of pleadings is typically governed by 16 TAC § 22.74. However, the Commission has issued a Second Order Suspending Rules,² which has suspended certain service requirements found in 16 TAC § 22.74. Accordingly, a filing party must provide

¹ 16 TAC § 24.8(a) and 16 TAC § 22.4(a).

² *Issues Related to the State of Disaster for the Coronavirus Disease*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).

notice by e-mail of any pleading or document filed. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

VI. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 Texas Administration Code (TAC) § 22.71. **In light of the Commission's Second Order entered in Docket No. 50664, this requirement will be considered satisfied if pleadings are filed with the Commission through the Interchange on the Commission's website as long as the Commission's Second Order is in effect.**³

Service of pleadings is typically governed by 16 TAC § 22.74. However, as long as the Commission's Second Order remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange at: <https://interchange.puc.texas.gov>.

All parties are required to provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and to the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be included on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

VII. Ex Parte Communications

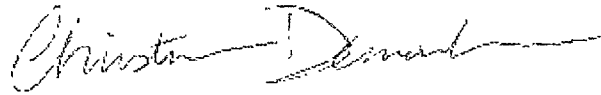
Ex parte communications with the administrative law judge (ALJ) are prohibited under 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order

³ *Id.*

or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 11th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**

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