



## Filing Receipt

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

**CITY OF MELVIN’S MOTION TO DISMISS**

The City of Melvin (City) files this Motion to Dismiss the above-captioned proceeding pursuant to 16 T.A.C. § 22.181, and would show the following:

**I. Background**

On January 18, 2021, the City Council of the City of Melvin voted to raise water rates for ratepayers both inside and outside the city.

On June 10, 2021, a petition was filed by Outside City Ratepayers Appealing the Water Rates Established by the City of Melvin. On June 29, 2021, the City filed a motion requesting an extension of time to respond, which was granted on June 30, 2021.

On July 26, 2021, Staff filed its First Request of Information to the City.

On July 28, 2021, the City timely filed its Response to the Petition.

**II. Motion to Dismiss**

On August 2, 2021, the City rescinded the action taken on January 18, 2021 to increase the rates in question of the outside city ratepayers. *See Exhibit A*, August 2, 2021 City Council Action to Repeal Rates, and *Exhibit B*, August 9, 2021 approval of August 2, 2021 minutes. The City has committed to refunding the Outside Ratepayers the difference between the January 18, 2021 rate and the previous rate used by the City. *Id.* The Outside Ratepayers’ Appeal has therefore become moot. 16 T.A.C. § 22.181(d)(2). As such, the City respectfully requests that the above-captioned proceeding be dismissed.

## **PRAYER**

For the reasons stated herein, the City of Melvin requests that this Motion be granted and that the City have no further obligations in this matter.

Respectfully submitted,

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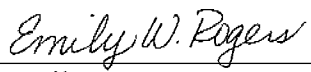
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BY:   
Emily W. Rogers

**ATTORNEYS FOR THE CITY OF MELVIN**

## **CERTIFICATE OF SERVICE**

I certify that this Response was provided to all parties of record via electronic mail or regular mail on August 11, 2021, in accordance with the Order Suspending Rules, issued in Project No 50664.

BY:   
Emily W. Rogers