



Filing Receipt

Filing Date - 2024-02-27 10:17:25 AM

Control Number - 52370

Item Number - 122

Evans, Stacy

From: Evans, Stacy
Sent: Tuesday, February 27, 2024 10:10 AM
To: Evans, Stacy
Subject: East Houston Utilities Rate Case (52370) - Motion to Abate [**EXTERNAL**]

From: Geoff Kirshbaum <gkirshbaum@terrillwaldrop.com>
Date: February 26, 2024 at 1:36:08 PM CST
To: hannahrcehu@gmail.com, GARYLECH1947@gmail.com, LAKINS328@gmail.com,
WES5323@msn.com, KILROY1950@outlook.com, sonic1992@aol.com, Marisa.Wagley@puc.texas.gov,
kelsey.daugherty@puc.texas.gov
Cc: Beckie Figg <bfigg@terrillwaldrop.com>
Subject: East Houston Utilities Rate Case (52370) - Motion to Abate

All,

Greetings. My name is Geoff Kirshbaum. I am an attorney with the law firm of Terrill & Waldrop in Austin, Texas retained by East Houston Utilities (EHU) to represent it in this matter just this past Friday. My contact information is below.

I understand there is a hearing on the merits scheduled in this matter for next Wednesday, March 6, 2024. I will not be able to properly prepare to represent my client on that date since I was just retained, so I would very much like to move that date. Further, my client would like an opportunity to revisit possible settlement of this matter with you. Therefore, I was wondering if the parties would agree to abate this docket (i.e., put things on hold) until April 5, 2024, at which point we could jointly file a new agreed procedural schedule if still needed or a status report, whichever is appropriate at that time.

I spoke with Marisa Wagley at PUC about this on Friday. My understanding is that PUC Staff agrees with EHU's request.

I would like to file a motion with this request for consideration by our presiding Administrative Law Judge. In the motion, I would like to represent each party's position with respect to the request (i.e., agree, oppose, or not opposed/neutral). Ideally, the parties could respond by **noon tomorrow** given that the trial is just over a week away. If I do not hear from you, I may need to move forward with EHU's motion with whatever input I have received at that time.

Please feel free to contact me for further discussion. Thank you.

Geoffrey P. Kirshbaum
Terrill & Waldrop
810 West 10th Street
Austin, Texas 78701
Ph: (512) 474-9100
Fax: (512) 474-9888
gkirshbaum@terrillwaldrop.com

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law. If you are not the intended recipient, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited.

Evans, Stacy

From: Evans, Stacy
Sent: Tuesday, February 27, 2024 10:09 AM
To: Evans, Stacy
Subject: East Houston Utilities Rate Case (52370) - Motion to Abate [****EXTERNAL****]

From: Geoff Kirshbaum <gkirshbaum@terrillwaldrop.com>
Date: February 26, 2024 at 5:25:42 PM CST
To: Sonic 1992 <sonic1992@aol.com>, hannahrcehu@gmail.com, GARYLECH1947@gmail.com, LAKINS328@gmail.com, WES5323@msn.com, KILROY1950@outlook.com, Marisa.Wagley@puc.texas.gov, kelsey.daugherty@puc.texas.gov
Cc: Beckie Figg <bfigg@terrillwaldrop.com>
Subject: East Houston Utilities Rate Case (52370) - Motion to Abate

**PRIVILEGED AND INADMISSIBLE SETTLEMENT COMMUNICATION PROTECTED
UNDER TEX. R. EVID. 408 AND FED. R. EVID. 408**

All,

I was disappointed to receive objections to what I view as a reasonable request. Apparently, similar requests have been granted previously in this docket and this is the first EHU has made.

Regardless, I wanted to let you know that what EHU was hoping to have time to discuss with you is a settlement offer of making the interim rates final to end this litigation. My understanding is that this concept was discussed previously. If agreeable, we would need time to develop an agreement that the Commission could consider for final approval. I don't see that happening before next Wednesday.

I plan to make my motion tomorrow regardless, but please let me know if this changes your position. Also, I would like to note that if we cannot reach agreement, EHU will be forced to spend significant amounts for my legal services and a rate consultant to properly respond to the evidence in the record thus far at a hearing on the merits. If that happens, EHU would be compelled to seek recovery of its rate case expenses in addition to its requested monthly service rates. Given the small number of customers from whom that rate case expense amount would need to be recovered, the monthly rate case expense surcharge could be very high. That expense could be avoided by settling on interim rates as final rates now.

Please feel free to contact me for further discussion. Thank you.

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From: Sonic 1992 <sonic1992@aol.com>

Sent: Monday, February 26, 2024 4:00 PM

To: hannahrcehu@gmail.com; garylech1947@gmail.com; Lakins328@gmail.com; wes5323@msn.com; kilroy1950@outlook.com; Marisa.Wagley@puc.texas.gov; Kelsey.Daugherty@puc.texas.gov; Geoff Kirshbaum <gkirshbaum@terrillwaldrop.com>

Cc: Beckie Figg <bfigg@terrillwaldrop.com>

Subject: Re: East Houston Utilities Rate Case (52370) - Motion to Abate

All,

The Evans household opposes this request and asks that the hearing on merits be held on March 6, 2024 as scheduled.

Thank you,
Barry & Stacy Evans

On Monday, February 26, 2024 at 01:36:08 PM CST, Geoff Kirshbaum <gkirshbaum@terrillwaldrop.com> wrote:

All,

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