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Received - 2021-10-12 11:05:58 AM
Control Number - 52553
ItemNumber - 5

DOCKET NO. 52553

APPEAL OF BROCOSKEY &	§	PUBLIC UTILITY COMMISSION
SHONNAH MAXIE APPEALING THE	§	
COST OF OBTAINING SERVICE	§	OF TEXAS
FROM THE CONSOLIDATED WATER	§	
SUPPLY CORPORATION	§	

ORDER NO. 2
DENYING MOTION TO DISMISS, FINDING PETITION INSUFFICIENT,
REQUIRING RESPONSES, AND
ADDRESSING OTHER PROCEDURAL MATTERS

This Order addresses the September 10, 2021 petition of Brocoskey and Shonnah Maxie appealing the decision of the Consolidated Water Supply Corporation regarding the cost of obtaining water service. On September 28, 2021, Consolidated WSC filed a motion for dismissal. On October 11, 2021, Commission Staff filed a recommendation on administrative completeness and notice.

I. Petition

The administrative law judge (ALJ) finds the petition insufficient and directs the Maxies to cure the deficiencies as outlined in the memorandum of Nabaraj Pokharel of the Commission's Infrastructure Division. Further the ALJ directs the Maxies to provide proof that notice of the appeal was mailed to Consolidated WSC and to file proof of notice with the Commission.

II. Motion to Dismiss

In its motion to dismiss, Consolidated WSC argued that the appeal was moot because the Maxies' application for service was incomplete and denied in accordance with Consolidated WSC's policies and the Maxies have not satisfied the conditions for service. Alternatively, Consolidated WSC argued that all the issues should be dismissed for lack of jurisdiction except the Equity Buy-in Fee in the amount of \$847.

In Commission Staff's response, they indicated that they conferred with the Maxies and Consolidated WSC's counsel and determined that the Maxies have since filed an application for service signed by the person who owns the land where the Maxies requested service and are thus now eligible for membership and service. Commission Staff recommended the Maxies file an amended appeal form with all the required enclosures listed in the instructions, including an

updated written estimate from Consolidated WSC, if one was provided, in response to the most recent application for service.

Based on the foregoing, the ALJ denies the motion to dismiss. Consolidated WSC may reurge its motion to dismiss after the filing of the Moxies' amended appeal form.

III. Procedural Schedule

The ALJ establishes the following deadlines for further processing of this matter:

Deadline for the Maxies: <ol style="list-style-type: none">1. to cure the deficiencies identified in Mr. Pokharel's memorandum;2. to file with the Commission proof of notice a copy of the appeal was mailed to Consolidated WSC; and3. to file an amended appeal form with all the required enclosures listed in the instructions, including an updated written estimate from Consolidated WSC, if one was provided in response to the most recent application for service	October 26, 2021
Deadline for Commission Staff to file a supplemental recommendation on the administrative completeness of the petition	November 23, 2021

Signed at Austin, Texas the 12th day of October 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