



## Filing Receipt

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**Control Number - 52850**  
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**TARIFF CONTROL NO. 52850**

<b>APPLICATION OF CONTROE</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>RESORT UTILITIES, LLC FOR A</b>	<b>§</b>	
<b>PASS THROUGH RATE CHANGE</b>	<b>§</b>	<b>OF TEXAS</b>

**COMMISSION STAFF'S MOTION TO DISMISS**

On November 15, 2021, Conroe Resort Utilities, LLC (Conroe Resort) filed an application under 16 Texas Administrative Code (TAC) § 24.25(b)(2) for approval of a pass-through rate change for an increase in the fees billed by the San Jacinto River Authority.

On March 15, 2022, the administrative law judge (ALJ) filed Order No. 4, establishing a deadline of April 15, 2022, for Conroe Resort to cure deficiencies set out by Staff in its recommendations filed on December 15, 2021 and January 28, 2022. Order No. 4 also set a deadline of April 29, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the true-up report, pass through rate change, and proposed notice or a motion to dismiss this proceeding. Therefore, this pleading is timely filed.

**I. MOTION TO DISMISS**

To date, Conroe Resorts has not filed a response to Staff's recommendations filed on December 15, 2021 and January 28, 2022. Therefore, Staff recommends that Conroe Resorts' application be dismissed without prejudice for failure to amend an application such that it is sufficient after repeated determination that the application is insufficient.<sup>1</sup>

**II. CONCLUSION**

For the reasons detailed above, Staff respectfully requests that an order be issued dismissing the application without prejudice.

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<sup>1</sup> 16 TAC § 22.181(d)(7).

Dated: April 29, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**DOCKET NO. 52850**

**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on April 29, 2022, in accordance with the Order Suspending Rules issued in Project No. 50664.

/s/ Ian Groetsch  
Ian Groetsch