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DOCKET NO. 52883

RICHARD T. LEE'S APPEAL OF THE	§	PUBLIC UTILITY COMMISSION
COST OF OBTAINING SERVICE FROM	§	
AQUA WATER SUPPLY	§	OF TEXAS
CORPORATION	§	

COMMISSION STAFF'S MOTION TO DISMISS

On November 23, 2021, Richard T. Lee (Mr. Lee) filed an appeal of the cost of obtaining service from Aqua Water Supply Corporation (Aqua WSC) under Texas Water Code (TWC) § 13.043(g) and 16 Texas Administrative Code (TAC) § 24.101(g).

On January 21, 2022, the administrative law judge (ALJ) filed Order No. 3, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of the notice and a recommendation on how to proceed with this petition and propose a procedural schedule. Therefore, this pleading is timely filed.

I. MOTION TO DISMISS

Under 16 Texas Administrative Code § 22.181(d)(2) a proceeding may be dismissed for moot questions or obsolete petitions. Staff has spoken with Mr. Lee and he stated that he filed a withdrawal on February 3, 2022 because he sold the property for which he was seeking to obtain service. Therefore, Staff respectfully requests that this docket be dismissed as there is no longer the possibility of Mr. Lee receiving service at that location because he is no longer the owner of the land in question.

II. CONCLUSION

Staff respectfully requests that this proceeding be dismissed as Mr. Lee's ability to receive service from Aqua WSC is no longer possible.

Dated: February 4, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 February 4, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Anthony Kanalas
Anthony Kanalas