



Filing Receipt

Received - 2022-05-12 12:04:49 PM
Control Number - 52912
ItemNumber - 19

DOCKET NO. 52912

COMPLAINT OF LILI AND THOMAS	§	PUBLIC UTILITY COMMISSION
MCDEVITT AGAINST LEVI WATER	§	
SUPPLY CORPORATION	§	OF TEXAS

LILI AND THOMAS MCDEVITT'S LIST OF ISSUES

COME NOW Lili and Thomas McDevitt and file this List of Issues in response to the Order Requesting Lists of Issues by the Public Utility Commission of Texas on May 3rd, 2022. Lila and Thomas McDevitt respectfully show the following:

**I.
BACKGROUND**

On December 2, 2021, Lili and Thomas McDevitt (Complainants) filed a complaint against Levi WSC (Levi) regarding improper denial of water service (Complaint). On April 14, 2022, Commission Staff filed its Supplemental Statement of Position stating that the facts of this case are in dispute and recommended the Complaint be referred to the State Office of Administrative Hearings for a hearing on the merits. The Commission issued an Order requiring Complainants and Levi WSC to file a list of issues to be addressed in this docket by May 12, 2022. Therefore, this pleading is timely filed. Complainants reserve the right to address additional issues raised by other parties not contemplated herein.

**II.
PROPOSED LIST OF ISSUES**

Lili and Thomas McDevitt propose the following list of issues for consideration as this docket proceeds to a hearing on the merits:

1. Whether Complainants are "qualified service applicants" as defined by 16 TAC §24.161(a).
2. Whether Levi is a "Retail Public Utility" as defined by 16 TAC§24.3(31).
3. Whether Levi violated 16 TAC §24.157(c)(2) by failing to give the Complainants a "reasonable opportunity" to comply with Levi's rules.
4. Whether Levi complied with 16 TAC §24.161(a) requiring service "as soon as is practical..."
5. Whether Levi has "good cause" for refusing to provide water service within 180 days of the date a completed application was accepted pursuant to 16 TAC Section 24.161(a).

**III.
ISSUES NOT TO BE ADDRESSED**

Lili and Thomas McDevitt have not identified any issues not to be addressed.

**IV.
CONCLUSION**

Lili and Thomas McDevitt respectfully request the Commission issue a preliminary order including the above issues to be addressed.

Dated: May 12th, 2022

Respectfully submitted,

/s/ Abelino "Abel" Reyna
Abelino "Abel" Reyna
Bar # 24000087
Patterson + Sheridan, L.L.P.
729 Washington Avenue, Suite 200
Waco, Texas 76701
Direct: 254-777-5248
Facsimile: 877-777-8071
Email: areyna@pattersonsheridan.com
ATTORNEY FOR
LILI AND THOMAS McDEVITT

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record via electronic mail on this the 12th day of May, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Abelino "Abel" Reyna
Abelino "Abel" Reyna