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DOCKET NO. 52912

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

COMMISSION STAFF'S PROPOSED LIST OF ISSUES

On December 2, 2021, Lili and Thomas McDevitt (Complainants) filed a formal complaint against Levi Water Supply Corporation (Levi WSC) related to Levi WSC's refusal to provide Complainants water service to their newly renovated barn.¹ The complaint was filed under 16 Texas Administrative Code (TAC) § 22.242

On May 3, 2022, the Office of Policy and Docket Management (OPDM) filed an order requiring the Complainants, Levi WSC, and allowing Staff (Staff) of the Public Utility Commission (Commission), to file a list of issues by the May 12, 2022. Therefore, this pleading is timely filed.

I. PROPOSED LIST OF ISSUES

1. Did the Complainants comply with all the requirements for informal resolution pursuant to 16 TAC § 22.242(c)?
2. Did the Complainants meet all the requirements to bring the formal complaint under 16 TAC § 22.242(e)?
3. Does the Commission have jurisdiction over this complaint?
4. Does 16 TAC § 24.161(a) apply in this case?
5. Is Levi Water Supply Corporation a retail public utility with respect to 16 TAC § 24.161(a)?
6. Do the Complainants meet the criteria as a qualified service applicants with respect to 16 TAC § 24.161(a)?
7. Did the Complainants submit a completed application for service as required by 16 TAC § 24.161(a)?
8. Did Levi Water Supply Corporation deny service after a completed application was submitted?

¹ Complaint of Lili and Thomas McDevitt Against Levi Water Supply Corporation (Dec. 2, 2021) (Complaint).

9. If the application was denied, did Levy Water Supply Corporation have good cause to deny service after a completed application was submitted?
10. If a refusal of service did occur, as provided in 16 TAC § 24.161(b), what administrative penalties, if any, apply to this case?

II. ISSUES NOT TO BE ADDRESSED

Staff has not identified any issues that should not be addressed in this docket.

III. CONCLUSION

Staff respectfully requests that the Commission issue a Preliminary Order including the above issues to be addressed in this proceeding.

Dated: May 12, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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/s/ Andy Aus

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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 May 12, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Andy Aus
Andy Aus