



## Filing Receipt

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**DOCKET NO. 53184**

**JACOB AND JENNIE HILBIG’S** § **PUBLIC UTILITY COMMISSION**  
**APPEAL OF THE COST OF** §  
**OBTAINING SERVICE FROM AQUA** § **OF TEXAS**  
**WATER SUPPLY CORPORATION** §

**COMMISSION STAFF’S PROPOSED LIST OF ISSUES**

On February 3, 2022, Jacob and Jennie Hilbig (Appellants) 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 July 13, 2022, the Commission filed an order requesting the parties to file a list of issues to be addressed in the docket by July 27, 2022. Therefore, this pleading is timely filed.

**I. PROPOSED LIST OF ISSUES**

Staff has identified the following issues to be addressed in this docket:

1. Does the Commission have jurisdiction over this dispute?
  - a. Was a decision made by Aqua WSC that affects the amount to be paid by the appellants to obtain service, other than the regular membership or tap fees? TWC § 13.043(g) and 16 TAC § 24.101(g).
    - i. Is The Appellants required to be a “qualified applicant” for service under Aqua WSC’s tariff? 16 TAC § 24.161(a).
  - b. If so, was the Appellants' appeal initiated within 90 days after the date written notice of the decision was provided to the Appellants? TWC § 13.043(g) and 16 TAC § 24.101(g).
2. What is the amount the Appellants would have to pay to obtain service from Aqua WSC, other than regular membership or tap fees? What services, acts, equipment, facilities, pipe, or other materials would that payment cover?
3. What amount, if any, have the Appellants already paid to Aqua WSC to obtain service? What services, acts, equipment, facilities, pipe, or other materials do any such payments cover?
4. Is the amount Aqua WSC proposes to charge the Appellants to extend service to his property clearly unreasonable? TWC § 13.043(g) and 16 TAC § 24.101(g)(1).

- a. If so, what fee should the Commission establish to be paid by the Appellants to obtain service? Under what conditions should the Appellants pay any amounts due to Aqua WSC? TWC § 13.043(g) and 16 TAC § 24.101(g)(1).
5. Is the amount Aqua WSC proposes to charge the Appellants to extend service to his property consistent with Aqua WSC's tariff? TWC § 13.043(g) and 16 TAC § 24.101(g)(2).
  - a. For Aqua WSC to extend service to the Appellants' property, does it require standard or non-standard service? Does it require an upgrade to the existing service lines?
6. Is the amount Aqua WSC proposes to charge the Appellants to extend service to his property reasonably related to the cost of installing on-site and off-site facilities to provide service to the Appellants? TWC § 13.043(g) and 16 TAC § 24.101(g)(2).
7. Is the amount Aqua WSC proposes to charge the Appellants to extend service to his property just and reasonable? TWC § 13.043(j) and 16 TAC § 24.101(i).
8. Is the amount Aqua WSC proposes to charge the Appellants to extend service to his property unreasonably preferential, prejudicial, or discriminatory? TWC § 13.043(j) and 16 TAC § 24.101(i).
9. Is the amount Aqua WSC proposes to charge the Appellants to extend service to his property sufficient, equitable, and consistent in application to each class of customers? TWC § 13.043(j) and 16 TAC § 24.101(i).
  - a. Will future customers benefit from the upgrade that Aqua WSC indicates is required to extend service to the Appellants' property?
  - b. If so, should Aqua WSC be required to reimburse or refund the Appellants for the future customer(s) share of the cost?
10. Will the amount Aqua WSC proposes to charge the Appellants to extend service to his property preserve the financial integrity of Aqua WSC? TWC § 13.043(j) and 16 TAC § 24.101(i).

## **II. ISSUES NOT TO BE ADDRESSED**

Staff has not identified any issues not to be addressed in this proceeding.

### III. CONCLUSION

As detailed above, Staff respectfully requests that its list of issues be among the issues considered by the Commission in this proceeding.

Date: July 27, 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 July 27, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Anthony Kanalas  
Anthony Kanalas