



## Filing Receipt

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**DOCKET NO. 53299**

<b>CRYSTAL BLUFF GOAT RANCHES,</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>LLC'S APPEAL OF THE COST OF</b>	<b>§</b>	
<b>OBTAINING SERVICE FROM</b>	<b>§</b>	
<b>POSSUM KINGDOM WATER</b>	<b>§</b>	<b>OF TEXAS</b>
<b>SUPPLY CORPORATION</b>		

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

On March 1, 2022, Crystal Bluff Goat Ranches, LLC (Crystal Bluff) filed an appeal of the cost of obtaining service from Possum Kingdom Water Supply Corporation (Possum Kingdom WSC) under Texas Water Code (TWC) § 13.043(g) and 16 Texas Administrative Code (TAC) § 24.101(g).

On December 7, 2021, the Office of Policy and Docket Management filed an order requiring Crystal Bluff and Possum Kingdom WSC to file and providing an option for Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a list of issues to be addressed in the docket by August 17, 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 Possum Kingdom WSC that affects the amount to be paid by Crystal Bluff to obtain service, other than the regular membership or tap fees? TWC § 13.043(g) and 16 TAC § 24.101(g).
    - i. Is Crystal Bluff required to be a “qualified applicant” for service under Possum Kingdom WSC’s tariff?
  - b. If so, was Crystal Bluff's appeal initiated within 90 days after the date written notice of the decision was provided to Crystal Bluff? TWC § 13.043(g) and 16 TAC § 24.101(g).
2. What is the amount Crystal Bluff would have to pay to obtain service from Possum Kingdom 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, has Possum Kingdom already paid to Possum Kingdom WSC to obtain service? What services, acts, equipment, facilities, pipe, or other materials do any such payments cover?
4. Is the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to their 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 Crystal Bluff to obtain service? Under what conditions should Crystal Bluff pay any amounts due to Possum Kingdom WSC? TWC § 13.043(g) and 16 TAC § 24.101(g)(1).
5. Is the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to their property consistent with Possum Kingdom WSC's tariff? TWC § 13.043(g) and 16 TAC § 24.101(g)(2).
  - a. For Possum Kingdom WSC to extend service to Crystal Bluff's property, does it require standard or non-standard service? Does it require an upgrade to the existing service lines?
6. Is the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to their property reasonably related to the cost of installing on-site and off-site facilities to provide service to Crystal Bluff? TWC § 13.043(g) and 16 TAC § 24.101(g)(2).
7. Is the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to his property just and reasonable? TWC § 13.043(j) and 16 TAC § 24.101(i).
8. Is the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to their property unreasonably preferential, prejudicial, or discriminatory? TWC § 13.043(j) and 16 TAC § 24.101(i).
9. Is the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to their 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 Possum Kingdom WSC indicates is required to extend service to Crystal Bluff's property?
  - b. If so, should Possum Kingdom WSC be required to reimburse or refund Crystal Bluff for the future customer(s) share of the cost?

10. Will the amount Possum Kingdom WSC proposes to charge Crystal Bluff to extend service to their property preserve the financial integrity of Possum Kingdom 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: August 17, 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 on August 17, 2022 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Bradley Reynolds  
Bradley Reynolds