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DOCKET NO. 53487

LESLIE MCFARLAND AND BILLY	§	PUBLIC UTILITY COMMISSION
GRANTHAM'S APPEAL OF THE COST	§	
OF OBTAINING SERVICE FROM	§	OF TEXAS
PARKER WATER SUPPLY	§	
CORPORATION	§	

**COMMISSION STAFF'S COMMENTS ON ADMINISTRATIVE COMPLETENESS OF
THE PETITION AND NOTICE**

On April 13, 2022, Leslie McFarland and Billy Grantham (Appellants) filed an appeal of the cost of obtaining service from Parker Water Supply Corporation (Parker WSC) under Texas Water Code (TWC) § 13.043(g) and 16 Texas Administrative Code (TAC) § 24.101(g).

On April 18, 2022, the administrative law judge filed Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the appeal by May 18, 2022. Order No. 1 also established a deadline of May 18, 2022, for parties to file recommendations regarding how to proceed with the petition and propose a procedural schedule. Therefore, this pleading is timely filed.

I. COMMENTS ON ADMINISTRATIVE COMPLETENESS

Staff recommends that Appellants' application be found administratively complete. Under TWC § 13.043(g) and 16 TAC 24.101(g), an applicant for service from a water supply corporation may appeal to the Commission a decision of the water supply corporation affecting the amount to be paid to obtain service other than regular membership or tap fees. These provisions require that the appeal be initiated within 90 days of the date written notice was provided by the water supply corporation to the applicant regarding the applicant's request for service. As supported by the attached memorandum by James Euton of the Commission's Infrastructure Division, Appellants have satisfied this requirement.

Appellants filed their appeal using the commission approved form on April 13, 2022, which is within 90 days of when Appellants received notice. While the parties may need to develop additional facts in this proceeding, Staff has reviewed the materials submitted and recommends that the application be deemed administratively complete for further processing.

II. COMMENTS ON NOTICE

Notice in this proceeding is governed by 16 TAC § 22.55. Staff recommends that the only entity affected by this appeal is Parker WSC, and therefore, it is reasonable to require Appellants to provide notice to Parker WSC. It is unclear from Appellants' application whether a copy of the appeal was mailed to Parker WSC. However, on May 9, 2022, Parker WSC filed a general denial to the appeal of the cost of obtaining service. As Parker WSC has already filed a response in this docket, Staff recommends that proof of notice is not necessary.

III. PROPOSED PROCEDURAL SCHEDULE

Since Parker WSC has already filed a response on this docket, Staff proposes the following procedural schedule:

Event	Date
Deadline for Staff to file its final recommendation on the appeal or to request a hearing	June 16, 2022
Deadline for Appellants and Parker WSC to Respond to Staff's Recommendation or request for hearing.	July 15, 2022

IV. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that the application be deemed administratively complete, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: May 18, 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 18, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Andy Aus
Andy Aus

Public Utility Commission of Texas

Memorandum

TO: Andy Aus, Attorney
Legal Division

FROM: James Euton, Engineering Specialist
Infrastructure Division

DATE: May 18, 2022

SUBJECT: Docket No. 53487, *Leslie McFarland and Billy Grantham's Appeal of the Cost of Obtaining Service from Parker Water Supply Corporation*

On April 13, 2022, Leslie McFarland and Billy Grantham (Applicants) filed with the Public Utility Commission of Texas an appeal of the cost of obtaining service from Parker Water Supply Corporation (Parker WSC) pursuant to Texas Water Code (TWC) § 13.043(g) and 16 Texas Administrative Code § 24.101(g).

An appeal under TWC § 13.043(g) must be initiated within 90 days after written notice of the amount to be paid to obtain service is provided to the applicant. The Applicant filed the appeal on April 13, 2022, and the notice of the amount to obtain service was provided to the Applicants on March 31, 2022, which meets the filing requirement.

Staff has reviewed the information provided by the Applicants and recommends the application be deemed sufficient for filing.