



Control Number: 54153



Item Number: 30

Kathleen Jackson
Interim Chair
Will McAdams
Commissioner
Lori Cobos
Commissioner
Jimmy Glotfelty
Commissioner



RECEIVED

2023 AUG 18 AM 10:53

PUBLIC UTILITY COMMISSION
FILING CLERK

Greg Abbott
Governor
Thomas J. Gleeson
Executive Director

Public Utility Commission of Texas

TO: Interim Chair Kathleen Jackson
Commissioner Will McAdams
Commissioner Lori Cobos
Commissioner Jimmy Glotfelty

All Parties of Record

FROM: Stephen Journeay, Commission Counsel

DATE: 18 August 2023

RE: August 24, 2023 Open Meeting – Item No. 4
Docket No. 54153 – *Application of Oak Bend Homeowners' Water Supply Corporation for Authority to Change Rates*

A proposed order in the above-referenced docket is posted for consideration and action by the Commission. If the Commission adopts the proposed order, I recommend the following modifications.

Finding of fact 1 should be modified for completeness. Finding of fact 3 should be modified for accuracy. Finding of fact 5 should be modified for completeness. Finding of fact 6 should be modified for accuracy and completeness. Findings of fact 8 and 28 should be modified for completeness. Two new headers and findings of fact regarding rate case expenses and affiliate expenses should be created and inserted after finding of fact 22 for completeness. Findings of fact should be renumbered accordingly.

Applicant

1. Oak Bend Homeowner's Water Supply Corporation (Oak Bend) is a Texas non-profit corporation registered with the Texas secretary of state under filing number 0063325201.
3. Oak Bend Property Owners Association holds CCN number 11633, and the utility provides retail water service for compensation to 29 active water connections under CCN number 11633.



Application

5. On November 29, 2022, and February 9, 2023, Oak Bend filed supplemental information to the application.
6. The application is based on a historical test year ending August 31, 2022, adjusted for known and measurable changes.
8. On November 29, 2022, Oak Bend filed the affidavit of Daphyne Miller, treasurer, attesting to the provision of notice to all customers, affected municipalities, affected parties, and the Office of Public Utility Counsel on November 25, 2022.

Rate Case Expenses

- XX. Oak Bend did not request the recovery of any rate-case expenses in its application.

Affiliate Expenses

- XX. Oak Bend has no affiliates and, therefore, no affiliate transactions are included in its revenue requirement.

Tariff Provisions

28. On June 16, 2023, Commission Staff filed a proposed tariff for Oak Bend Homeowner's Water Supply Corporation.

Conclusion of law 2 should be modified for accuracy. Conclusion of law 4 should be modified for completeness. A new conclusion of law should be inserted after conclusion of law 10 for completeness and for consistency with prior Commission orders. Subsequent conclusions of law should be renumbered.

2. Oak Bend is a utility, public utility, and water utility, as those terms are defined in TWC § 13.002(23) and 16 Texas Administrative Code (TAC) § 24.3(389).
4. Oak Bend is a class D utility as defined in TWC § 13.002(4-d) and 16 TAC § 24.3(8) because it has less than 500 active water connections.
11. As required by TWC § 13.183(a) and 16 TAC § 24.41(c)(1), the rates approved by this Order will permit Oak Bend a reasonable opportunity to recover its reasonable and necessary operating expenses and will preserve Oak Bend's financial integrity.

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the Citation and Style Guide for the Public Utility Commission of Texas and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.