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APPLICATION OF TEXAS WATER UTILITIES, LP AND CS WATER CORPORATION FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BOSQUE COUNTY § PUBLIC UTILITY COMMISSION OF TEXAS §

OFFICE OF PUBLIC UTILITY COUNSEL’S RESPONSE TO TEXAS WATER UTILITIES, L.P.’S OBJECTIONS AND RESPONSES TO OFFICE OF PUBLIC UTILITY COUNSEL’S STATEMENT OF POSITION

COMES NOW the Office of Public Utility Counsel (“OPUC”) and files this response to Texas Water Utilities, L.P.’s (“TWU”) March 14, 2023, filing, objecting to OPUC’s Statement of Position filed on March 13, 2023. Pursuant to Order No. 6, Establishing Procedural Schedule, the 120-day deadline for the Commission to approve the sale *or require a hearing is March 20, 2023*. [Emphasis added.] As the time for the Commission to elect to require a hearing has not yet passed, OPUC contends that its Statement of Position is timely filed. Additionally, OPUC requests that the following Findings of Fact be included in any proposed order by the Administrative Law Judge and the Commission in this case.

Initial Rates

- 32. TWU has phased-in rates for most of the water systems in the Water Tariff attached to its application.¹
- 33. The phase 2 rates were in force on September 30, 2022, when TWU filed its application in this case.²
- 34. OPUC requests that the Commission orders TWU to charge initial rates and service charges that are shown in the water tariff issued to TWU (Docket No. 52201) at the time the

¹ The Water Tariff attached to TWU’s application is the tariff approved in Docket No. 52201: *Application of Utilities Investment company, Inc. and UIC 13 LLC and Monarch Utilities 1 L.P. for Sale, Transfer or Merger of Facilities and Certificate Rights in Harris, Liberty, and Chambers Counties*, Docket No. 52201 (Sept. 6, 2022).

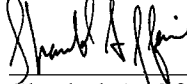
² *Id.* The phase 2 rates were in force effective June 1, 2022, and the next phase in the water tariff will be in force effective June 1, 2023, for most of the water systems in the tariff.

application was filed beginning with the Phase 2 rates in effect for most of TWU's water systems on June 1, 2022.³

Date: March 15, 2023

Respectfully submitted,

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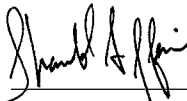
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 15th day of March 2023, by facsimile, electronic mail, and/or first class, U.S. Mail.



Sharbel A. Sfeir

³ *Id.*