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DOCKET NO. 54171

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

**TEXAS WATER UTILITIES, L.P. AND CS WATER CORPORATION'S
RESPONSE TO MOTION TO INTERVENE**

Texas Water Utilities, L.P. (TWU) and CS Water Corporation (CS Water) (collectively, Applicants) file this response to the motion to intervene and request for hearing filed by James R. Kelly on May 12, 2023. Pursuant to 16 Texas Administrative Code § 22.78(a), this response is timely filed on or before May 19, 2023.

I. RESPONSE TO MOTION TO INTERVENE

As supported by the attached affidavit of Susan Calhoun—being provided as Attachment A—CS Water contacted Mr. Kelly on May 17, 2023 for the purpose of discussing his motion to intervene and the transaction that is the subject of this proceeding. During the discussion, CS Water provided Mr. Kelly with information regarding the rates in TWU's current tariff for income-qualified customers who are age 65 or older. After the conversation, Mr. Kelly sent an email to CS Water stating his desire to withdraw his motion to intervene. Applicants are conferring with Mr. Kelly regarding the process for submitting a more formal withdrawal. Accordingly, Applicants are filing this response to inform the parties of the current status of this intervention request and to request that the administrative law judge delay acting on Mr. Kelly's hearing request.

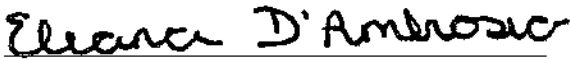
II. CONCLUSION

Applicants respectfully provide this response to the motion to intervene and hearing request filed by James R. Kelly on May 12, 2023. Additionally, Applicants requests any further relief to which they have shown themselves entitled.

Respectfully submitted,

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**ATTORNEYS FOR TEXAS WATER
UTILITIES, L.P.**

CERTIFICATE OF SERVICE

I hereby certify that notice of the filing of this document was provided to all parties of record via electronic mail on May 19, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.


Eleanor D' Ambrosio
Eleanor D' Ambrosio

ATTACHMENT A

DOCKET NO. 54171

APPLICATION OF TEXAS WATER UTILITIES L.P. AND CS WATER CORPORATION FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BOSQUE COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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AFFIDAVIT OF SUSAN CALHOUN

STATE OF TEXAS)
)
COUNTY OF BOSQUE)

BEFORE ME, the undersigned authority, on this day personally appeared Susan Calhoun who being by me first duly sworn, on oath deposed and said the following:

1. My name is Susan Calhoun. I am over the age of 18 and am otherwise competent to make this affidavit. I am the owner of CS Water Corporation (CS Water). I have personal knowledge of the facts stated herein and those facts are true and correct.
2. I have reviewed CS Water's account records for 130 County Road 1539, Morgan, Texas 76671, and I have verified that James R. Kelly is listed as the customer for this account.
3. On May 17, 2022, I contacted Mr. Kelly via telephone, and we discussed his request to intervene in Docket No. 54171. We also discussed Texas Water Utilities' rates for income-qualified customers age 65 or older.
4. As a follow-up to our conversation, Mr. Kelly sent me the email attached to this affidavit as Exhibit 1.
5. Based on our conversation and Mr. Kelly's subsequent email, I affirm that he has conveyed to me his intent to withdraw his motion to intervene in this proceeding filed on May 12, 2023.

Susan Calhoun
Susan Calhoun

SUBSCRIBED AND SWORN TO before me this 19 day of May, 2023.

Danielle M. Koncan
Notary Public, State of Texas

Sworn to and subscribed before me
this 19 day of MAY 2023
Danielle M. Koncan
Notary

Personally Known Produced ID X
Type of ID Produced THE TEXAS
DRIVERS LICENSE



EXHIBIT 1

Re: intervention TX Utilities Inbox x



sptgkelly@aol.com

8:50AM (6 hours ago)



to me ▾

I authorize Susan Calhoun to tell TX Utilities I am withdrawing my request for a hearing per subsequent clarity of the senior rate structure.

Thank You/James Kelly