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State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

February 1, 2024

Shelah Cisneros, Commission Counsel
Commission Advising and Docketing Management
William B. Travis State Office Building
1701 N. Congress, 7th Floor
Austin, Texas 78701

VIA EFILE TEXAS

**RE: SOAH Docket No. 473-23-18885.WS; PUC Docket No. 54565;
*Application of CSWR-Texas Utility Operating Company, LLC for
Authority to Change Rates***

Dear Ms. Cisneros:

The undersigned Administrative Law Judges (ALJs) issued a Proposal for Decision (PFD) in this matter on November 28, 2023. The applicant, CSWR Texas Utility Operating Company, LLC (CSWR-Texas), the Office of Public Utility Counsel, and Commission Staff filed exceptions on January 11, 2024. On January 25, 2024, the same parties filed replies to exceptions. The exceptions largely raise issues that were fully considered and addressed in the PFD.

In its exceptions, CSWR-Texas clarified which systems were acquired through the Fair Market Value (FMV) process and the appropriate ratemaking rate base applicable to each of those systems that it asserts was used to calculate CSWR-Texas's proposed rate base and resulting tariffs.

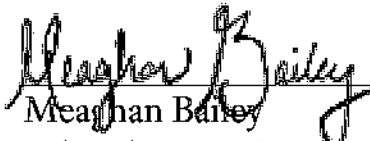
Regarding pass-through charges, CSWR-Texas notes in its reply that the PFD did not provide proposed ordering language authorizing CSWR-Texas to collect the gallonage charge charged by the pass-through entity or source supplier until it files an application for a minor tariff change to update those provisions when it has sufficient line-loss data for certain systems. CSWR-Texas requested that the following language be added to the final order:

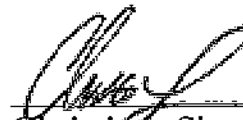
XX. CSWR-Texas should be authorized to collect the proposed gallonage charge by the pass-through entity or source supplier until it files an application for a minor tariff change to update those provisions when it has sufficient line-loss data for the systems.

The ALJs agree and recommend adoption of CSWR-Texas's proposed ordering paragraph to the final order, as modified below to indicate the specific the systems to which the recommendation applies:

XX. CSWR-Texas should be authorized to collect the proposed gallonage charge by the pass-through entity or source supplier until it files an application for a minor tariff change to update those provisions when it has sufficient line-loss data for the systems charged by the Guadalupe County GCD, North Alamo WSC, Upper Trinity GCD to Waterco, the City of Rockport to Copano Cove and Copano Ridge, and the Bi-County WSC.

With the above clarification and proposed addition of an ordering paragraph, the PFD is ready for your consideration.


Meghan Bailey
Administrative Law Judge


Christian Siano
Administrative Law Judge

Enclosure

CC: Service List