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**SOAH DOCKET NO. 473-24-13127
PUC DOCKET NO. 54617**

APPLICATION OF TEXAS WATER	§	BEFORE THE STATE OFFICE
UTILITIES, LP AND SOUTHERN	§	
HORIZONS DEVELOPMENT, INC. FOR	§	
SALE, TRANSFER, OR MERGER OF	§	OF
FACILITIES AND CERTIFICATE	§	
RIGHTS IN LIBERTY AND	§	
MONTGOMERY COUNTIES	§	ADMINISTRATIVE HEARINGS

**OFFICE OF PUBLIC UTILITY COUNSEL'S
SUPPLEMENTAL STATEMENT OF POSITION**

The Office of Public Utility Counsel (“OPUC”), representing the interests of residential and small commercial consumers in Texas, respectfully submits this supplement to its earlier filed statement of position pursuant to 16 Texas Administrative Code (“TAC”) § 22.124.¹ OPUC has not filed direct testimony in this proceeding, but has reviewed the application, discovery responses, and testimonies filed by Texas Water Utilities, L.P. (“Texas Water”), Southern Horizons Development, Inc. (“Southern Horizons”), and the Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”). OPUC supplements its initial statement of position as follows:

I. OPUC’S SUPPLEMENTAL POSITIONS

OPUC maintains that Texas Water should not be allowed to implement the proposed initial rates in this proceeding because doing so would result in the transaction failing to be in the public interest. However, based on the direct testimony of Staff’s witness, Mr. James Harville, OPUC believes adoption of the Villas of Willowbrook Rates (Phase 4 of 7) recommended in Mr. Harville’s testimony would be reasonable.² Thus, OPUC supports Staff’s recommendation regarding initial rates.

¹ OPUC’s Statement of Position (May 9, 2024).

² Direct Testimony of James Harville, Infrastructure Division, Public Utility Commission of Texas, May 30, 2024 at 12:5 – 14:2 (May 30, 2024).

Additionally, OPUC believes the Dal-High Water System Rates (Phase 4 of 7) would also be reasonable, as they are substantially similar to those of Villas of Willowbrook.³ Therefore, adoption of the Dal-High Water System (Phase 4 of 7) rates would be in the public interest.


II. CONCLUSION

For the reasons stated above, it remains OPUC's position that Texas Water should not be allowed to implement its requested initial rates in this proceeding. OPUC supplements its position to support Staff's recommendation and reserves the right to amend or supplement this statement of position by the deadline set forth in the Commission's rules. OPUC reserves the right to participate at the hearing, cross-examine witnesses, and file briefs related to the issue of initial rates. OPUC further requests such other relief to which it may be entitled.

Date: July 18, 2024

Respectfully submitted,

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³ Application of Texas Water Utilities, LP and Southern Horizons Development, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Liberty and Montgomery Counties at 91 and 108 (Water Tarriff Pages 11 [Villas] and 28 [Dal-High]) (Feb. 2, 2023).

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**ATTORNEYS FOR THE
OFFICE OF PUBLIC UTILITY COUNSEL**

CERTIFICATE OF SERVICE
SOAH DOCKET NO. 473-24-13127
PUC DOCKET NO. 54617

I hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 18th day of July 2024, by facsimile, electronic mail, and/or first class, U.S. mail.



Kourtnee Jinks