



Filing Receipt

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DOCKET NO. 54693

PETITION BY RATEPAYERS	§	PUBLIC UTILITY COMMISSION
APPEALING THE WATER RATES	§	
ESTABLISHED BY FRANKSTON	§	OF TEXAS
RURAL WATER SUPPLY	§	
CORPORATION	§	

**ORDER NO. 4
SETTING DEADLINE**

This Order addresses the May 11, 2023 unsigned request to withdraw this petition. The filing indicates that the customers of Frankston Rural Water Supply Corporation that initiated this proceeding now wish to withdraw their petition because their original understanding was that this process would be much simpler. The petitioners believed that with 10% of affected customer signatures, the Commission would investigate and determine whether the rate increase was reasonable. The petitioners have now come to understand that this process is much more involved, could possibly go to court, and are not prepared for nor financially able to handle such a development. Therefore, the filing requests withdrawal of the petition.


First, the administrative law judge (ALJ) wishes to make it clear that petitions brought before the Commission are legal proceedings, which can involve discovery and there will be orders. This type of petition could be sent to the State Office of Administrative Hearings (SOAH) for a hearing on the merits. But unless and until the Commission issues a final order, this matter is not appealable to a court of law. Additionally, the ALJ wishes to make it clear that self-represented litigants are welcome to bring petitions such as this to the Commission, and often do. Therefore, unless the petitioners truly believe they are unable to follow the instructions in orders that are issued and follow the Commission's procedural rules as closely as possible, there is no reason to withdraw due to an inability to hire an attorney. Petitioners can prosecute this petition themselves. If this matter requires a hearing, the Commission's legal division would participate as a party and represent the Commission's position.

Second, there are issues with the motion that prevent withdrawal at this time. First, the motion to withdraw is not signed. Additionally, even if it were signed, there is nothing in the filings in this docket that indicates Nikki Delaney is authorized to represent other ratepayers in this proceeding.

Therefore, before a motion to withdraw the petition can be considered, the petitioners must file either of the following: (1) a filing signed by all of the original signatories asking for withdrawal; or (2) a filing from Nikki Delaney showing her relationship to the signatories, her authority to sign for them in this proceeding, and a signed request to withdraw the petition.

Signed at Austin, Texas the 18th day of May 2023.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON

ADMINISTRATIVE LAW JUDGE