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Filing Date - 2024-01-25 03:46:49 PM

Control Number - 55028

Item Number - 22

DOCKET NO. 55028

**APPLICATION OF DRIFTWOOD
WATER CONSERVATION, LLC FOR
AN EXEMPT UTILITY
REGISTRATION**

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

**ORDER NO. 8
MOTION TO DISMISS**

The ALJ is of the opinion that this matter should be dismissed under 16 Texas Administrative Code (TAC) § 22.181(d)(8), because Driftwood Water Conservation, LLC has failed to state a claim for which relief can be granted. The basis for dismissal and the material facts supporting dismissal under 16 TAC § 22.181(d)(8) are summarized in this Order.

In this proceeding, Driftwood Water is seeking to be registered as an exempt water utility. Under Texas Water Code § 13.242(c) and 16 TAC § 24.229(e), such a registration is possible for a water utility that has *less than* 15 potential service connections. In its application, Driftwood Water states it has 15 potential service connections, making it unavailable for certification as an exempt utility.

Under 16 TAC § 22.181(a) and (e), dismissal of a proceeding may be made upon the motion of the ALJ. This Order constitutes such a motion.

If Driftwood Water wishes to respond to the ALJ's motion to dismiss, it must do so by February 14, 2024.

Signed at Austin, Texas on the 25th day of January 2024.

PUBLIC UTILITY COMMISSION OF TEXAS



**HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE**