



## **Filing Receipt**

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**Item Number - 4**

**DOCKET NO. 55274**

<b>PETITION OF FORT BEND COUNTY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>MUNICIPAL UTILITY DISTRICT NO.</b>	<b>§</b>	
<b>222 APPEALING THE WHOLESALE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>WATER RATES ESTABLISHED BY</b>	<b>§</b>	
<b>THE CITY COUNCIL OF THE CITY</b>	<b>§</b>	
<b>OF FULSHEAR, TEXAS</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS**

**I. INTRODUCTION**

On July 24, 2023, Fort Bend County Municipal Utility District No. 222 (Fort Bend County MUD No. 222) filed, under Texas Water Code (TWC) §§ 12.013, 13.043(f), 13.044, and 16 Texas Administrative Code (TAC) § 24.101, a petition appealing the City of Fulshear's wholesale water rates.

On July 25, 2023, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the petition by August 23, 2023. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the petition and supplemental information and, as detailed in the attached memorandum from Joseph Cooper, Infrastructure Division, recommends that the petition is administratively incomplete. Staff recommends that Fort Bend County MUD No. 222 be ordered to cure the deficiencies identified in Mr. Cooper's memorandum by September 20, 2023, and that Staff be given a deadline of October 19, 2023 to file a supplemental recommendation on the administrative completeness of the petition.

**III. CONCLUSION**

For the reasons discussed above, Staff recommends that the petition be found administratively incomplete and that Fort Bend County MUD No. 222 be ordered to file supplemental information to cure the deficiencies in the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: August 23, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Division Director

John Harrison  
Senior Managing Attorney

/s/ Kelsey Daugherty  
Kelsey Daugherty  
State Bar No. 24125054  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3480  
(512) 936-7255  
(512) 936-7268 (facsimile)  
Kelsey.Daugherty@puc.texas.gov

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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on August 23, 2023, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Kelsey Daugherty  
Kelsey Daugherty

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Kelsey Daugherty, Attorney  
Legal Division

**FROM:** Joseph Cooper, Engineering Specialist  
Infrastructure Division

**DATE:** August 23, 2023

**RE:** Docket No. 55274 – *Petition of Fort Bend County Municipal Utility District No. 222 Appealing the Wholesale Water Rate Establish by the City Council of the City of Fulshear, Texas*

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On July 24, 2023, Fort Bend County Municipal Utility District No. 222 (“Fort Bend”) filed with the Public Utility Commission of Texas a petition to appeal rates established by the City Council of the City of Fulshear, Texas (“City”).

Based on my review of the petition, I found that the petition is insufficient due to missing evidence of compliance with the requirement of 16 Texas Administrative Code (TAC) § 24.305. To be administratively complete, I recommend that Fort Bend file an amended petition and provide the following:

- State the status under which the appeal is brought against the City;
- Clearly state the relief which Fort Bend seeks;
- Provide any applicable contract and notice of tariff change;
- Provide a return receipt and an affidavit to attest that the City was served a copy of the petition.

Staff requests an order be issued to deem the petition administratively incomplete for the reasons stated above, and further requests that the Administrative Law Judge (ALJ) allot time for Fort Bend to cure the deficiencies.