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**APPLICATION OF SHOREWOOD
FOREST WATER SYSTEM FOR A
CLASS D RATE ADJUSTMENT**

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**PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
OF TEXAS**

ORDER

This Order addresses Shorewood Forest Water System's application for a class D rate adjustment. The administrative law judge (ALJ) ordered Shorewood Forest to respond to multiple orders requesting it cure deficiencies with its application. Shorewood Forest has made no filings in this docket since filing its application on August 24, 2023. The ALJ filed a proposal for decision recommending that the Commission dismiss the application without prejudice due to Shorewood Forest's failure to prosecute under 16 Texas Administrative Code (TAC) § 22.181(d)(6).

The Commission determines Shorewood Forest's complaint should be dismissed without prejudice for failure to prosecute. Accordingly, the Commission adopts the proposal for decision, including findings of facts and conclusions of law, to the extent provided in this Order.

I. Findings of Fact

The Commission adopts the following findings of fact.

1. On August 24, 2023, Shorewood Forest filed its application for a class D rate adjustment for its certificate of convenience and necessity number 12371.
2. In Order No. 3 filed on October 3, 2023, the ALJ found the application administratively incomplete and ordered Shorewood Forest to cure the deficiencies by October 30, 2023.
3. Shorewood Forest did not respond to Order No. 3.
4. In Order No. 4 filed on December 4, 2023, the ALJ found the application remained administratively incomplete and ordered Shorewood Forest to cure the deficiencies by December 14, 2023.
5. Shorewood Forest did not respond to Order No. 4.
6. On January 16, 2024, Commission Staff filed a motion to dismiss this proceeding for failure to prosecute under 16 TAC § 22.181(d)(6).

7. In Order No. 5 filed on January 17, 2024, the ALJ found the application remained administratively incomplete and ordered Shorewood Forest to respond to Commission Staff's motion to dismiss by February 5, 2024.
8. To date, Shorewood Forest has not responded to the motion to dismiss or any order in this proceeding.
9. No hearing was held on the motion to dismiss.
10. Shorewood Forest has filed nothing in this docket since filing its application on August 24, 2023.

II. Conclusions of Law

The Commission adopts the following conclusions of law.

1. The Commission has authority over this matter under Texas Water Code § 13.1872.
2. Under 16 TAC § 22.181(c), this proceeding may be dismissed without a hearing because the facts necessary to support the dismissal are uncontested.
3. Under 16 TAC § 22.181(d)(6), the ALJ may recommend to the Commission that it dismiss a proceeding, with or without prejudice, for failure to prosecute.
4. Shorewood Forest failed to prosecute its application, thereby warranting dismissal of this proceeding, without prejudice, under 16 TAC § 22.181(d)(6).
5. Under 16 TAC § 22.181(f)(2), dismissal of a case for reasons other than those specified in 16 TAC § 22.181(g)(1) or (2) requires preparation of a proposal for decision.
6. A proposal for decision was issued in accordance with Texas Government Code § 2001.062 and 16 TAC § 22.261(a).

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission adopts the proposal for decision, including findings of facts and conclusions of law, to the extent provided in this Order.

2. The Commission dismisses Shorewood Forest's application, without prejudice, due to its failure to prosecute.
3. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

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

PUBLIC UTILITY COMMISSION OF TEXAS



THOMAS J. GLEESON, CHAIRMAN



LORI COBOS, COMMISSIONER



JIMMY GLOTFELTY, COMMISSIONER



KATHLEEN JACKSON, COMMISSIONER