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DOCKET NO. 55878

**APPLICATION OF MIDWAY
UTILITIES, INC. FOR A MINOR
TARIFF CHANGE**

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§**

**PUBLIC UTILITY COMMISSION

OF TEXAS**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO
MIDWAY WATER UTILITIES, INC.
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144 of the Commission's Procedural Rules, the Staff (Staff) of the Public Utility Commission of Texas (Commission) requests that Midway Water Utilities, Inc., by and through its representative of record, provide the following information and answer the following questions under oath. The questions shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Second Order Suspending Rules in Project No. 50664.

Dated: December 20, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

Ian Groetsch
Managing Attorney

/s/ David Skawin

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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 December 20, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ David Skawin

David Skawin

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QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

DEFINITIONS

- 1) "Midway Water" or "you" refers to Midway Water Utilities, Inc., and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.

- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond your control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information, or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist, and these documents will be provided.

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QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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MIDWAY WATER UTILITIES, INC.
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

- STAFF 1-1** What is the purpose of a "Transfer Fee?" In the tariff, it is currently defined as a charge for "changing an account name at the same service location when the service is not disconnected." However, in the cover letter it is described as a fee "assessed for service initiation among Texas water utilities where a new tap was not required." Please explain.
- STAFF 1-2** After this proposed minor tariff change, please explain whether there still be a fee for "changing an account name at the same service location when the service is not disconnected." If so, what will the name of that fee be after the proposed change?
- STAFF 1-3** Currently, when a customer is changing their name at an address that is currently receiving service, are they charged a deposit fee?
- STAFF 1-4** If the proposed minor tariff change is accepted, under the new definition of "Service Initiation Fee," will a customer who is charged a Service Initiation Fee also be charged a deposit fee?
- STAFF 1-5** Currently, when a customer is charged a Transfer Fee, are they charged an application fee?
- STAFF 1-6** If the proposed minor tariff change is accepted, under the new definition of "Service Initiation Fee," will a customer who is charged a Service Initiation Fee be charged an application fee?