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DOCKET NO. 55942

PETITION BY RATEPAYERS	§	PUBLIC UTILITY COMMISSION
APPEALING THE WATER AND	§	
WASTEWATER RATES	§	OF TEXAS
ESTABLISHED BY THE CITY OF	§	
ROCKPORT	§	

ORDER NO. 5
REQUIRING PETITIONER RESPONSE AND SETTING A DEADLINE

This Order requires a response from the petitioners. The administrative law judge (ALJ) questions the need to continue processing this petition. On March 5, 2024, the City of Rockport provided an affidavit attesting that the rates at issue in this petition, which were effective September 15, 2023, were repealed by Rockport in ordinances 1920 and 1921 and further that all overbilled monies have been refunded to affected ratepayers. The amounts attested to were cumulative total amounts, not the per-ratepayer detail required by Commission Staff to review and develop a recommendation as to whether the necessary refunds are complete. But total amounts were provided and verified by affidavit.


In addition, in a February 16, 2024 filing, the petitioners stated they could not verify refunds have been provided to all affected customers for the appropriate amounts, but that they believe Rockport has completed the refunds and will correct any errors made if notified by a customer. Further, the petitioners stated that they concur with the Rockport's motion to dismiss this proceeding.

For these reasons, it appears to the ALJ that there may be no remaining dispute in this proceeding and no need for further processing of this petition. And, if this petition is no longer at issue, the petitioners may request withdrawal of their petition, and the ALJ can consider and grant withdrawal. However, dismissal as requested by Rockport and supported by the petitioners, requires preparation of a proposed order for presentation to the Commission for consideration. Thus, in the absence of a withdrawal, Rockport will be ordered to provide per-ratepayer information on refunds in the detail and format necessary for Commission Staff to provide a recommendation that the refunds are complete before the ALJ can prepare a proposed order for the Commission's consideration that recommends Rockport has completed the refunds for all affected ratepayers.

By May 14, 2024, the petitioners may request withdrawal of their petition. In the absence of a request to withdraw, the ALJ will establish further deadlines, or schedule this matter for a hearing, to continue the necessary processing.

Signed at Austin, Texas on the 18th day of April 2024.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON

ADMINISTRATIVE LAW JUDGE