



## **Filing Receipt**

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**DOCKET NO. 56272**

<b>COMPLIANCE DOCKET FOR</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>DOCKET NO. 50788 (RATEPAYERS</b>	<b>§</b>	
<b>APPEAL OF THE DECISION BY</b>	<b>§</b>	<b>OF TEXAS</b>
<b>WINDERMERE OAKS WATER</b>	<b>§</b>	
<b>SUPPLY CORPORATION TO CHANGE</b>	<b>§</b>	
<b>WATER AND SEWER RATES)</b>	<b>§</b>	

**COMMISSION STAFF'S COMMENTS ON TEMPORARY MANAGER HEARING**

**I. INTRODUCTION**

On March 21, 2024, Commission issued its Order in Docket No. 50788.<sup>1</sup> Ordering Paragraph No. 3 of the Commission's Order requires Windermere Oaks Water Supply Corporation (Windermere Oaks) to refund water and sewer customers over a 45-month period or until a net amount of \$884,666.62 has been refunded, whichever occurs first. Ordering Paragraph No. 4 of the Commission's Order in Docket No. 50788 approves a monthly \$39.21 surcharge per connection over a 45-month period or until \$478,184.04 is collected, whichever occurs first.

On October 15, 2024, the administrative law judge (ALJ) filed Order No. 6, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the effects on this docket, if any, of the outcome of the October 24, 2024, temporary manager hearing for Windermere Oaks in Docket No. 57065 by October 31, 2024. Therefore, this pleading is timely filed.

**II. COMMENTS ON TEMPORARY MANAGER HEARING**

Since the Commission has not yet issued an order on whether a temporary manager would be appointed to Windermere Oaks, there is no immediate effect of the temporary manager hearing on this docket. The Commission indicated that it would issue an order for the hearing at its November 14, 2024, open meeting.<sup>2</sup>

Pursuant to 16 Texas Administrative Code § 24.357(i), a temporary manager "assumes the obligations for operating [the utility] within all legal requirements." Staff believes that the Commission's final order in Docket No. 50788, setting monthly minimum rates, gallonage rates, refunds, and rate-case expense surcharges, qualifies as part of Windermere Oaks' obligations that

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<sup>1</sup> *Ratepayers Appeal of the Decision by Windermere Oaks Water Supply Corporation to Change Water and Sewer Rates*, Docket No. 50788, Order (Mar. 21, 2024).

<sup>2</sup> Open Meeting of the Public Utility Commission of Texas at 5:00:30-5:00:40 (Oct. 24, 2024).

a temporary manager would be required to assume. As such, Staff recommends that a temporary manager for Windermere Oaks would be required to continue to make compliance filings on behalf of the utility and to issue refunds and collect surcharges per the final order in Docket No. 50788.

### **III. CONCLUSION**

Staff respectfully requests the issuance of an order consistent with the foregoing.

Dated: October 30, 2024

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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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 October 30, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Tyler Xu  
Tyler Xu