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COMPLAINT OF HARRY BAKER	§	PUBLIC UTILITY COMMISSION
AGAINST RICHARDSON LIFESTYLE	§	
ASSOCIATION DBA WILLOW	§	OF TEXAS
SPRINGS CONDOMINIUMS	§	

ORDER NO. 4
MOTION TO DISMISS

This Order addresses the April 9, 2023 formal complaint of Harry Baker against Richardson Lifestyle Association dba Willow Springs Condominiums regarding submetering.

On May 13, 2024, Commission Staff filed its statement of position.

The administrative law judge (ALJ) is of the opinion that Mr. Baker's complaint should be dismissed under 16 Texas Administrative Code (TAC) § 22.181(d)(2) because it is moot. Mr. Baker alleges that Richardson Lifestyle Association replaced submeters in 2019 and did not calibrate the accuracy of those meters upon installation. Under 16 TAC § 25.142(c)(1)(D), the owner of an apartment house, such as Richardson Lifestyle Association, shall maintain and make available for inspection by the tenant, all submeter test results for the current month and the 12 preceding months. On July 5, 2024, Richardson Lifestyle Associate states that it has not installed new submeters between April 2023 and April of 2024 and, accordingly, Richardson Lifestyle Associate does not have records of testing new submeters for Mr. Baker to inspect.

The basis for dismissal and the material facts supporting dismissal under 16 TAC § 22.181(d)(2) are summarized in this Order. Specifically, it appears to the ALJ that Mr. Baker's complaint has been resolved.

Under 16 TAC § 22.181(a) and (e), dismissal of a proceeding may be made upon the motion of the ALJ. This Order constitutes such a motion.

Responses to the motion to dismiss, if any, must be filed by August 5, 2024.

Signed at Austin, Texas on the 16th day of July 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Rebecca Bromley-Williams", written over a horizontal line.

REBECCA BROMLEY-WILLIAMS
ADMINISTRATIVE LAW JUDGE