



## **Filing Receipt**

**Filing Date - 2024-09-17 01:31:33 PM**

**Control Number - 56520**

**Item Number - 15**

**DOCKET NO. 56520**

<b>COMPLAINT OF DANIEL DEWEBER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>AND PRAIRIE BRANCH PROPERTIES</b>	<b>§</b>	
<b>LLC AGAINST AMON CARTER LAKE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>WATER SUPPLY CORPORATION</b>	<b>§</b>	

**DANIEL DEWEBER AND PRAIRIE BRANCH PROPERTIES LLC'S LIST OF ISSUES**

On April 22, 2024, Daniel Deweber and Prairie Branch Properties LLC (Complainants) filed a complaint against Amon Carter Lake Water Supply Corporation (Amon Carter Lake WSC) regarding alleged refusal to provide service.<sup>1</sup> The Complainants filed the formal complaint pursuant to 16 Tex. Admin. Code § 22.242. On August 28, 2024, an Order Requesting Lists of Issues was filed, requiring the Complainants and Amon Carter Lake WSC, and allowing the Staff (Staff) of the Public Utility Commission of Texas (Commission) and any other interested parties, to file a list of issues by September 17, 2024. Therefore, this pleading is timely filed.

**I. LIST OF ISSUES TO BE ADDRESSED**

The Complainants recommend that the Commission address the following issues:

1. Did the Complainant meet all the requirements to bring the formal complaint under 16 Tex. Admin. Code § 22.242(e)?
2. Is Complainants' property located within the boundaries of Amon Carter Lake WSC's water certificate convenience and necessity (CCN) No. 12793?
3. Has Amon Carter Lake WSC failed to serve the Complainants or failed to provide continuous and adequate service in violation of Texas Water Code § 13.250 and 16 Tex. Admin. Code § 24.247?
4. Is Amon Carter Lake WSC refusing to serve the Complainants?

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<sup>1</sup> Complaint of Daniel Deweber and Prairie Branch Properties LLC Against Amon Carter Lake Water Supply Corporation (Apr. 22, 2024).

5. Has Amon Carter Lake WSC failed to comply with 16 Tex. Admin. Code § 24.161(a)?
6. Are the Complainants qualified service applicants, as defined in 16 Tex. Admin. Code § 24.161(a), meeting all of Amon Carter Lake WSC's requirements contained in its tariff (which was in effect when the Complainants applied for water service), schedule of rates, or service policies and regulations for the extension of service? If not, what specific tariff provisions, service policies, or regulations have not been met and what rates or fees (if any) have not been paid in order for complainant to become a qualified service applicant?
7. Is the Complainants' service application and agreement complete and executed? If not, in what manner have the Complainants failed to provide a completed application under 16 Tex. Admin. Code § 24.161(a)(3) or (4) to Amon Carter Lake WSC?
  - a. When did the Complainants first apply for water service from Amon Carter Lake WSC?
  - b. Which tariff was in effect when the Complainants first applied for water service from Amon Carter Lake WSC?
8. Has Amon Carter Lake WSC's Board of Directors approved a tariff that includes a schedule of rates, service rules and policies, and extension policies? If so, when was the tariff approved?
9. If Amon Carter Lake WSC has an approved tariff, did Amon Carter Lake WSC file the tariff with the Commission as required by 16 Tex. Admin. Code § 24.25(i)?
  - a. Was the approved tariff filed with the Commission after the Complainants applied for water service?

- b. Has Amon Carter Lake WSC provided a copy of the approved tariff to the Complainants?
10. Did Amon Carter Lake WSC's tariff (which was in effect when the Complainants requested water service) contain any provisions that govern the extension of service?
11. Did Complainants satisfy the requirements for extension of service based on the tariff in effect when the Complainants applied for water service?
12. What charges may Amon Carter Lake WSC appropriately assess under its service extension policy in effect when the Complainants applied for water service?
13. If Amon Carter Lake WSC's Board of Directors had not approved a tariff when the Complainants applied for water service, do Amon Carter Lake WSC's Bylaws, or any other document approved by the Board, contain provisions governing applications for, and extensions of, service?
14. Is Amon Carter Lake WSC prohibited from serving Complainants' property?
15. Do Amon Carter Lake WSC's current facilities, used and useful in providing water service, have sufficient capacity to serve Complainants' property?
16. Is Complainants' property a single tract? If not, how many tracts comprise the property?
17. In what county is Complainants' property located?
18. Is Complainants' property located within the boundaries of a municipality or its extraterritorial jurisdiction?
19. Did Amon Carter Lake WSC refuse to provide service on any insufficient grounds as enumerated in 16 Tex. Admin. Code § 24.157(c)(1)-(7)?

20. Did Amon Carter Lake WSC inform the Complainants in writing of the basis of its refusal and that the Complainant may file a complaint with the Commissioner thereon under 16 Tex. Admin. Code § 24.157(b)?

21. If Amon Carter Lake WSC has violated Texas Water Code § 13.250 and 16 Tex. Admin. Code §§ 24.161 or 24.247, what is the appropriate remedy?

## **II. LIST OF ISSUES NOT TO BE ADDRESSED**

At this time, the Complainants have not identified any issues not to be addressed.

## **III. CONCLUSION**

The Complainants appreciate the opportunity to offer this List of Issues for Commission consideration. The Complainants respectfully request the issuance of a preliminary order including the Complainant's proposed issues to be addressed.

Date: September 17, 2024

Respectfully submitted,

/s/ Bill Knowlton

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ATTORNEYS FOR THE  
COMPLAINANTS

**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 17, 2024.

/s/ Tyler J. Ryska  
Tyler J. Ryska