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Item Number - 10

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Executive Director

Public Utility Commission of Texas

TO: Shelah Cisneros
Commission Counsel

All Parties of Record

FROM: Isaac Ta *I. T.*
Administrative Law Judge

RE: **Docket No. 56864** – *Application of Gideon Water LLC for Tariff Revisions*

DATE: October 28, 2024

Enclosed is the Proposed Order in the above-referenced case. By copy of this memo, the parties to this proceeding are being served with the Proposed Order.

Please place this docket on an open meeting agenda for the Commissioners' consideration. Please notify me and the parties of the open meeting date. The parties must file corrections or exceptions to the Proposed Order by November 12, 2024.

If a party proposes a correction or exception, the party must fully explain the correction or exception and must provide a citation to the record to support the correction or exception.

If there are no corrections or exceptions, no response is necessary.

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DOCKET NO. 56864

**APPLICATION OF GIDEON WATER § PUBLIC UTILITY COMMISSION
LLC FOR TARIFF REVISIONS §
 § OF TEXAS**

PROPOSED ORDER

This Order addresses the application of Gideon Water LLC for a tariff revision under 16 Texas Administrative Code (TAC) § 24.25(b)(3). Gideon Water seeks approval to change its tariff to reflect that zero gallons are included in its monthly minimum charge. The Commission approves the tariff revision, to the extent provided in this Order.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Gideon Water is a Texas limited liability company registered with the Texas secretary of state under filing number 804431999.
2. Gideon Water operates, maintains, and controls facilities for providing potable water service for compensation in Montgomery County under certificate of convenience and necessity number 13304.

Application

3. On July 24, 2024, Gideon Water filed the application at issue in this proceeding.
4. In the application, Gideon Water requests approval of a revision to its tariff to reflect that zero gallons are included in its monthly minimum charge.
5. The proposed tariff revision is intended to remove an inadvertent error in the tariff approved in Docket No. 53485.¹ Gideon Water's tariff incorrectly specifies that the monthly minimum charge includes 10,000 gallons of usage by a customer.
6. In Order No. 2 filed on August 27, 2024, the administrative law judge (ALJ) found the application administratively complete.

¹ *Application of Gideon Water LLC for a Certificate of Convenience and Necessity in Montgomery County*, Docket No. 53485, Notice of Approval at Water Utility at Water Tariff Page No. 2 (July 31, 2023).

Notice

7. In Order No. 3 filed on September 30, 2024, the ALJ found that notice of the application was not required.

Evidentiary Record

8. In Order No. 4 filed on October 28, 2024, the ALJ admitted the following evidence into the record of this proceeding:
- The application of Gideon Water LLC for tariff revisions filed on July 24, 2024;
 - Commission Staff's recommendation on sufficiency of the application, notice, and proposed procedural schedule filed on August 26, 2024;
 - Gideon Water's response to Order No. 2 filed on September 4, 2024;
 - Commission Staff's recommendation on Gideon Water LLC's response to Order No. 2 and final recommendation filed on September 19, 2024; and
 - The proposed final tariff attached to the joint motion to admit evidence filed on October 7, 2024.

Tariff

9. Gideon Water's current water tariff was approved by the Commission on July 31, 2023 in Docket No. 53485.²
10. The parties agree that Gideon Water's minimum monthly charge and gallonage rates should be as follows:

Meter Size	Current Minimum Monthly Charge (includes 0 gallons)
5/8"	\$50.00
3/4"	\$50.00
1"	\$125.00
1 1/2"	\$200.00
2"	\$400.00
3"	\$750.00
4"	\$1,500.00

² *Id.*, Notice of Approval.

Usage	Gallage Rate (per 1,000 gallons)
0 to 10,000 gallons	\$3.50
10,001+ gallons	\$5.00

11. On October 7, 2024, the parties filed a proposed tariff as an attachment to the joint motion to admit evidence and proposed notice of approval. The proposed tariff reflects that zero gallons are included in the monthly minimum charge.

Informal Disposition

12. No notice of this proceeding was required.
13. No person filed a protest or motion to intervene.
14. Gideon Water and Commission Staff are the only parties to this proceeding.
15. No party requested a hearing, and no hearing is needed.
16. Commission Staff recommended approval of the application.
17. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over the application under Texas Water Code (TWC) § 13.041.
2. Gideon Water is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(31).
3. Notice of the tariff revision was not required under 16 TAC § 24.25(b)(3)(A).
4. The application meets the requirements of 16 TAC § 24.25.
5. The Commission processed the application as required by the TWC, the Administrative Procedure Act,³ and Commission rules.

³ Tex. Gov't Code §§ 2001.001–.903.

6. The requirements for informal disposition under 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission approves the tariff revision, effective the date of this Order.
2. The Commission approves the tariff attached to this Order.
3. Within ten days after the date of this Order, Commission Staff must provide the Commission with a clean copy of Gideon Water's tariff approved by this Order to be stamped *Approved* and retained by Central Records.
4. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

Signed at Austin, Texas the _____ day of _____ 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

THOMAS J. GLEESON, CHAIRMAN

LORI COBOS, COMMISSIONER

JIMMY GLOTFELTY, COMMISSIONER

KATHLEEN JACKSON, COMMISSIONER

COURTNEY K. HJALTMAN, COMMISSIONER