



Control Number: 56864



Item Number: 12

DOCKET NO. 56864

**APPLICATION OF GIDEON WATER
LLC FOR TARIFF REVISIONS**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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 denies the request because, as a retail public utility, Gideon Water may not make the proposed change to the number of gallons that are included in the monthly minimum charge except by filing an application for a rate adjustment under Texas Water Code (TWC) § 13.1872.

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 what Gideon Water and Commission Staff have represented is an inadvertent error in the tariff approved in Docket No. 53485.¹

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

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.

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:
 - a. The application of Gideon Water LLC for tariff revisions filed on July 24, 2024;
 - b. Commission Staff's recommendation on sufficiency of the application, notice, and proposed procedural schedule filed on August 26, 2024;
 - c. Gideon Water's response to Order No. 2 filed on September 4, 2024;
 - d. Commission Staff's recommendation on Gideon Water LLC's response to Order No. 2 and final recommendation filed on September 19, 2024; and
 - e. 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 water tariff that was approved in Docket No. 53485 provides in part that the monthly minimum charge "includes 10,000 gallons all meters."
11. In this proceeding, Gideon proposes to change its tariff to provide in part that the monthly minimum charge "includes 0 gallons all meters."

² *Id.*, Notice of Approval.

12. 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

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

13. 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.

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. Gideon Water may not make the requested changes to its rates except by filing an application for a rate adjustment under TWC § 13.1872.
4. Gideon Water's application to change its rates should be denied because Gideon Water is not seeking a rate adjustment under TWC § 13.1872.

5. The Commission processed the application as required by the TWC, the Administrative Procedure Act,³ and Commission rules.
6. The requirements for informal disposition under 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

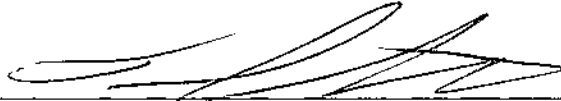
In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission denies the requested tariff revision.
2. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

³ Tex. Gov't Code §§ 2001.001–.903.

Signed at Austin, Texas the 10th day of January 2025.

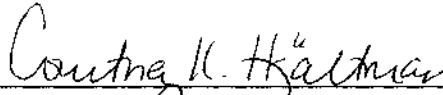
PUBLIC UTILITY COMMISSION OF TEXAS



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KATHLEEN JACKSON, COMMISSIONER



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