



Control Number: 57445



Item Number: 23

10/20/2017  
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# **OPEN MEETING COVER SHEET COMMISSIONER MEMORANDUM**

**MEETING DATE:** April 24, 2025

**DATE DELIVERED:** April 23, 2025

**AGENDA ITEM NO.:** 18

**CAPTION:** Docket No. 57445 – Petition of Heritage Cardiff SPE, LLC Appealing the Decision of Northwest Harris County Municipal Utility District No. 36 to Change Rates


**DESCRIPTION:** Chairman Thomas Gleeson Memorandum

# *Public Utility Commission of Texas*

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## **Commissioner Memorandum**

**TO:** Commissioner Kathleen Jackson  
Commissioner Courtney K. Hjlatman

**FROM:** Chairman Thomas J. Gleeson 

**DATE:** April 23, 2025

**RE:** April 24, 2025 Open Meeting – Item No. 18  
*Docket No. 57445 – Petition of Heritage Cardiff SPE, LLC Appealing the Decision of Northwest Harris County Municipal Utility District No. 36 to Change Rates*

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On February 28, 2025, Northwest Harris County Municipal Utility District No. 36 filed an appeal of Order No. 4, which was filed by the Commission administrative law judge (ALJ) on February 18, 2025. For the reasons discussed below, I would deny the appeal of Order No. 4.

In Order No. 4, the Commission ALJ denied Northwest Harris County Municipal Utility District No. 36’s motion to dismiss for lack of jurisdiction. Under Commission rule, dismissal “requires a hearing unless the facts necessary to support the dismissal are uncontested or are established as a matter of law.”<sup>1</sup> In this proceeding, outstanding issues of fact and law need to be resolved before determining jurisdiction. Therefore, I recommend upholding the Commission ALJ’s decision to deny Northwest Harris County MUD’s motion to dismiss and refer this docket to the State Office of Administrative Hearings.

However, I would clarify in Docket No. 56636,<sup>2</sup> the Commission did not determine whether or not moving Heritage Cardiff to the new rate class would trigger grounds to file a new appeal. That is an issue to be decided in this proceeding.

I look forward to discussing this matter with you at the open meeting.

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<sup>1</sup> 16 TAC § 22.181(c).

<sup>2</sup> *WGA Cardiff, LLC and Heritage Cardiff SPE, LLC’s Appeal of the Decision by Northwest Harris County Municipal Utility District No. 36 to Change Rates*, Docket No. 56636, Order (Oct. 3, 2024).