



EZELL LAW FIRM, LLC

10761 Perkins Road, Ste. A | Baton Rouge, LA 70810
telephone 225-763-2272 | facsimile 225-763-2273 | www.ezellfirm.com

August 6, 2025

Ms. Kris Abel
Records
Louisiana Public Service Commission
Galvez Building, 12th Floor
602 N. 5th Street
Baton Rouge, Louisiana 70821

cc: SG/BS

LA PUBLIC SERVICE COMM
AUG 6 2025 AM 9:46

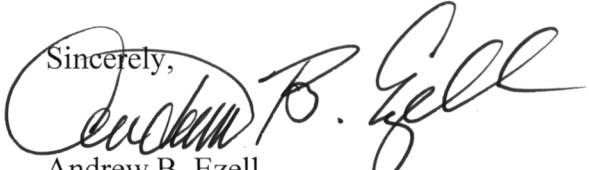
VIA HAND DELIVERY

Re: Docket No. U-37570
Magnolia Water Utility Operating Company, LLC
2024 Formula Rate Plan Annual Report, Request for Adjustment of
Water and Sewage Rates and Any Other Related Relief

Dear Ms. Abel:

Magnolia Water Utility Operating Company, LLC ("Magnolia") submits an original and three copies of the enclosed Rule 57 Motion for Consideration and Acceptance of Staff's Report and Recommendation. We respectfully request that this motion be filed into the record, placed on the agenda for the August 20, 2025, Business and Executive Session, and a date-stamped copy be returned to our courier.

If you have any questions concerning this filing, please so notify me.

Sincerely,

Andrew B. Ezell

cc: Braeden Smith, Esq.
Ms. Robin Pendergrass
Mr. Donnie Marks

Hand

BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION

Magnolia Water Utility Operating
Company, LLC,
Ex Parte

DOCKET NO. U-37570

In Re: 2024 Formula Rate Plan Annual Report, Request for Adjustment of Water and Sewage Rates and Any Other Related Relief

**MOTION PURSUANT TO RULE 57 FOR CONSIDERATION AND ACCEPTANCE OF
COMMISSION STAFF'S REPORT AND RECOMMENDATION**

NOW COMES Magnolia Water Utility Operating Company, LLC ("Magnolia" or the "Company"), who, pursuant to Rule 57 of the Rules of Practice and Procedure of the Louisiana Public Service Commission, respectfully submits this Motion, requesting that the Louisiana Public Service Commission ("LPSC" or the "Commission") grant this Motion and assert its original and primary jurisdiction and consider, accept and approve, at its August 20, 2025, Business & Executive Session ("B&E"), the Report and Recommendation issued by Commission Staff ("Staff") on July 31, 2025, and issue a final order to that effect based upon the following:

1.

On May 1, 2025, the Company filed its 2024 Formula Rate Plan Annual Report, Request for Adjustment of Water and Sewage Rates and Any Other Related Relief (the "Request"). Notice of the Request was published in the Commission's Official Bulletin #1349 dated May 9, 2025, as Docket No. U-37570. The Commission received twenty-three (23) Notices of Protest and Interventions in this proceeding, representing eighteen (18) different addresses served by Magnolia, so this matter was assigned to Administrative Law Judge Joy Guillot ("ALJ") on June 4, 2025.

2.

The ALJ deferred setting a procedural schedule in this proceeding, noting that the Rider FRP provided the parties until September 1, 2025, to resolve any disputes and foreclose the need for setting a procedural schedule and hearing in this matter.

3.

In the interim, Staff propounded two (2) formal sets of data requests to Magnolia on May 15, 2025, and July 9, 2025, as well as several informal requests via email, to which Magnolia completely and thoroughly responded, providing Staff with everything it needed to fully and accurately evaluate Magnolia's request.

4.

Also, Staff issued data requests to all of the intervenors, requesting additional information, including copies of water/wastewater bills, average water usage, documentation of communications with Magnolia, specific issues related to complaints, etc., but received responses from only one intervenor, Cindy Case-Brown. No other responses to Staff's data requests have been received to date.

5.

Ms. Case-Brown has resided in the Greenleaves neighborhood for eight (8) years. Her specific grievances with Magnolia included discolored water, continued rate increases, meter readings, Magnolia forgetting to flush the lines, and lack of transparency with system updates and repairs, in response to which Staff's Report and Recommendation stated as follows:

As far as Ms. Case-Brown's complaints, Staff believes that with Magnolia moving the Greenleaves disinfection system from the chloramine system to a free chlorine/phosphate system, the brown water issue is resolved. This should also eliminate the need for constant flushing of the lines. Staff also believes that Ms. Case-Brown's excessive bills are relative to her excessive water consumption. Staff recommends that she have a plumber check for possible leaks in her water lines.

Regarding Magnolia's "lack of transparency with system updates and repairs," Magnolia has a "Community Impact" tab on its website that includes system updates, including informational videos explaining different processes. Magnolia also has a "Regulatory Information" tab that includes water and sewer rates, tariffs, compliance reports, consumer confidence reports, (including the Greenleaves system), and public notices. Magnolia has the one of most transparent websites of any water/wastewater utility in Louisiana. Staff believes that any concerns that Ms. Case-Brown previously had have properly been resolved.

6.

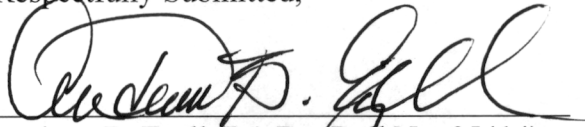
Staff ultimately determined, after recognizing Magnolia's significant financial commitment and stellar operational and regulatory performance over six (6) years, that Magnolia's request **IS** in the public interest and issued its Report and Recommendation on July 31, 2025, noting that "it is important that Magnolia be allowed to continue its endeavors of purchasing and rehabilitating Louisiana's failing water and wastewater systems."

7.

As noted above, Magnolia is seeking Commission consideration and approval of Staff's Report and Recommendation, pursuant to Rule 57 at the Commission's August 20, 2025, B&E. The granting of this Motion and subsequent consideration and approval of the Report and Recommendation by the Commission will not prejudice any party to this proceeding, as evidenced by 1) the complete and utter lack of responsiveness by the intervenors when asked to support their claims through Staff's data requests, which can only be interpreted as an inability to do so, and 2) Staff's assertion that each of Ms. Case-Brown's grievances have been adequately addressed by Magnolia. Simply put, granting this Motion and considering and approving Staff's Report and Recommendation at the August 20, 2025, B&E will ensure that Magnolia achieves a fair and reasonable rate structure that allows for the continued delivery of safe, efficient and reliable service to its present and future customers.

WHEREFORE, for the reasons set forth above, Magnolia respectfully requests that the Commission assert its original and primary jurisdiction pursuant to Rule 57 of the Rules of Practice and Procedure; consider Staff's Report and Recommendation at its August 20, 2025, B&E; confirm and adopt Staff's Report and Recommendation in its entirety, finding Magnolia's Request to be in the public interest; and issue an order implementing Staff's recommendations effective September 1, 2025.

Respectfully Submitted,



Andrew B. Ezell (LA Bar Roll No. 05414)

Andrew K. Nicolas (LA Bar Roll No. 36757)

EZELL LAW FIRM, LLC

10761 Perkins Rd., Suite A

Baton Rouge, LA 70810

Telephone: (225) 763-2272

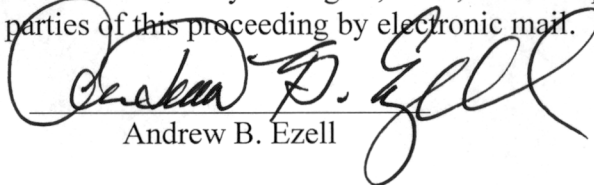
Facsimile: (225) 763-2273

Email: aezell@ezellfirm.com

Counsel for Magnolia Water Utility Operating Company, LLC

CERTIFICATE OF SERVICE

I hereby certify that that I have this 6th day of August, 2025, served copies of the foregoing pleading upon all other known parties of this proceeding by electronic mail.



Andrew B. Ezell