

# **Bond Case Briefs**

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## **UTILITIES - ALABAMA**

### **Ex parte East Central Baldwin County Water, Sewer and Fire Protection Authority**

**Supreme Court of Alabama - June 30, 2017 - So.3d - 2017 WL 2822788**

Town, city, and county sewer services company filed actions against county water, sewer, and fire protection authority and county commission, seeking judgment declaring that commission-approved amendments to authority's articles of incorporation, which expanded authority's geographical service area and expanded authority's services to include sewer services, were void.

The Circuit Court consolidated actions and entered partial summary judgment in plaintiffs' favor. Authority appealed. The Court of Civil Appeals held that town, city, and company lacked standing to bring action. Certiorari was granted. The Supreme Court reversed and remanded. On remand, the Court of Civil Appeals affirmed. Authority filed petition for writ of certiorari.

The Supreme Court of Alabama held that fact questions existed regarding whether there were adequate public water services and adequate public sewer services in expanded service areas covered by authority's proposed expansion.