

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

JUDGMENT RENDERED JULY 18, 2019

NO. 03-18-00596-CV

The City of Houston, Appellant

v.

Texas Propane Gas Association, Appellee

**APPEAL FROM THE 261ST DISTRICT COURT OF TRAVIS COUNTY
BEFORE CHIEF JUSTICE ROSE, JUSTICES KELLY AND SMITH
REVERSED AND REMANDED -- OPINION BY JUSTICE KELLY
DISSENTING OPINION BY CHIEF JUSTICE ROSE**

This is an appeal from the interlocutory order signed by the trial court on September 10, 2018. Having reviewed the record and the parties' arguments, the Court holds that there was reversible error in the order. Therefore, the Court reverses the trial court's interlocutory order and remands the case to the trial court so that Texas Propane Gas Association may have a reasonable opportunity to amend its pleadings, if possible, to demonstrate that it has standing to bring its suit for declaratory relief. Each party shall pay the costs of appeal incurred by that party, both in this Court and in the court below.