



Control Number: 42864



Item Number: 24

Addendum StartPage: 0

SOAH DOCKET NO. 473-14-5146
PUC DOCKET NO. 42864

RECEIVED
2014 NOV -7 PM 1:05
PUBLIC UTILITY COMMISSION
FILING CLERK

WATER RATE/TARIFF CHANGE APPLICATION OF ENCHANTED HARBOR UTILITY, CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 12683, IN CALHOUN COUNTY, TEXAS	§ § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
---	--	---

STATUS REPORT

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Status Report.

On July 29, 2014, a preliminary hearing was held for this matter. Administrative Law Judge Rebecca Smith took jurisdiction and admitted the following as parties to this proceeding: (1) Enchanted Harbor Utility; (2) the Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ); and ratepayers Keith L. Smith, Anne Clark, and Evelyn Saucier. On the same day, the parties commenced mediation that lasted throughout the month of August. In the final days of TCEQ's jurisdiction over water utility matters, the parties reached and signed a settlement agreement. On August 27, 2014, Enchanted Harbor Utility filed an uncontested Motion to Remand to the TCEQ with the settlement agreement attached. On September 10, 2014 and October 10, 2014, Staff filed a Status Report with SOAH requesting more time to review the settlement. Staff files this Status Report to request additional time for review.

Pursuant to House Bill 1600 and Senate Bill 567, 83rd Legislature, this matter was transferred to the Public Utility Commission as of September 1, 2014. Because of the procedural complexities involved with the transfer, Staff requests that Your Honor abstain from ruling on the Motion to Remand in order to provide Staff adequate time to review the case and proposed settlement. Staff endeavors to process the case as quickly as possible; however, in the event no action is taken by December 12, 2014, Staff requests the ability to file a status update at that time. Staff has conferred with Enchanted Harbor Utility, Keith Smith, Anne Clark, and Evelyn Saucier.

Respectfully Submitted,

Joseph P. Younger
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

Doug Brown w/permission
Douglas M. Brown
Attorney-Legal Division
State Bar No. 24048366
(512) 936-7203
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Stephen Mack

SOAH DOCKET NO. 473-14-5146
PUC DOCKET NO. 42864

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 7, 2014 in accordance with P.U.C. Procedural Rule 22.74.

Doug Brown w/permission
Douglas M. Brown, Attorney

Stephen Mack