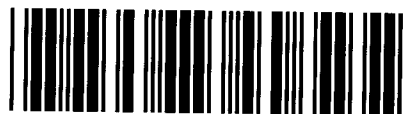




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Addendum StartPage: 0

DOCKET NO. 43103 RECEIVED

APPLICATION OF JOHNSTON
WATER UTILITY, LLC FOR PASS
THROUGH RATE CHANGE (38006-R)

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PUBLIC UTILITY COMMISSION
OF
PUBLIC UTILITY COMMISSION
FILING CLERK
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**COMMISSION STAFF'S RESPONSE TO NOTICE FINDING APPLICATION
DEFICIENT AND REQUEST FOR EXTENSION OF DEADLINE FOR
RECOMMENDATION ON THE APPLICATION**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Response to Notice Finding Application Deficient and Request for Extension of Deadline for Recommendation on the Application. In support of its Response, Staff would show the following:

I. BACKGROUND

On September 12, 2014, Johnston Water Utility, LLC (Applicant) filed an application with the Commission to implement a pass through provision in Certificate of Convenience and Necessity (CCN) No. 12788 in Montgomery County, Texas pursuant to Title 16, TEX. ADMIN. CODE (16 TAC) § 24.21(h).

Effective September 1, 2014, the Commission began the economic regulation of water and sewer utilities and this case formerly pending at the TCEQ was transferred to the Commission. On October 9, 2014, the Administrative Law Judge (ALJ) issued a Notice Setting Deadline for Staff's Recommendation directing Staff to file a recommendation regarding the application or propose a procedural schedule, if needed, by October 31, 2014. On October 30, 2014, Staff filed its Response to Notice Setting Deadline for Staff's Recommendation, in which Staff identified multiple deficiencies in the application and requested that the Applicant be given thirty days to cure the deficiencies. On October 31, 2014, the ALJ issued a Notice Finding the Application Insufficient, in which the ALJ directed the Applicant to cure the identified deficiencies by December 1, 2015 and directed Staff to file comments on whether the application is not materially complete, or file a proposed procedural schedule, if the application is found to be administratively complete, by December 22, 2014. This Response is timely filed.

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II. REQUEST FOR EXTENSION OF DEADLINE

It is Staff's belief that good cause exists for Staff to allow the Applicant to cure the deficiencies identified by Staff in its October 30, 2014 Response, and the Applicant does not object to Staff's request for an extension of the deadline to file Staff's recommendation on whether the application is complete. In its October 30, 2014 Response, Staff identified information necessary for Staff to complete its review on the merits of the application during the technical review stage. The Applicant indicated to Staff that it had not been served with filings in this docket and had, therefore, not been aware of the deficiencies or the December 1, 2014 cure deadline. After further review, Staff discovered that the fax number listed for the Applicant on the Commission's mailing list was incorrect. Staff is currently working with the Applicant to obtain and review the required information. Therefore, Staff respectfully requests that the ALJ extend the deadline for Staff to file comments on the application until Wednesday, January 21, 2015.

III. MAILING LIST UPDATE

Staff respectfully requests that the mailing list for this docket be updated to reflect the following corrected contact information for the Applicant:

Johnston Water Utility, LLC
c/o Laura Johnston
14708 Olin Rd.
Tomball, TX 77377-6259
Fax: (281) 351-1574

IV. CONCLUSION

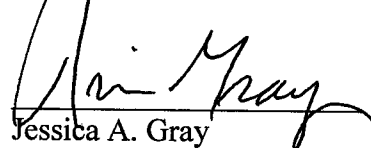
Staff respectfully requests that the ALJ extend the deadline for Staff to file comments on the application until Wednesday, January 21, 2015. Additionally, Staff requests that the mailing list for this docket be updated to reflect the corrected contact information as listed in this Response.

DATE: December 22, 2014

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Shelah J. Cisneros
Managing Attorney
Legal Division

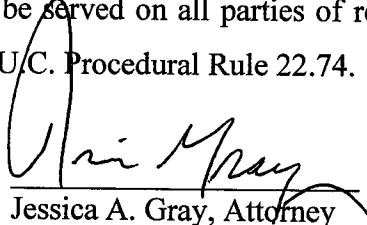


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DOCKET NO. 43103

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 22nd day of December, 2014 in accordance with P.U.C. Procedural Rule 22.74.



Jessica A. Gray, Attorney