



Control Number: 43241



Item Number: 10

Addendum StartPage: 0

DOCKET NO. 43241

2014 DEC 11 PM 2:00
PUBLIC UTILITY COMMISSION

APPLICATION OF ORBIT SYSTEMS, INC. TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY IN BRAZORIA COUNTY (37755-C) §
§
§

PUBLIC UTILITY COMMISSION OF TEXAS

COMMISSION STAFF'S AMENDED RESPONSE TO ORDER NO. 2

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Response to Order No. 2. *Staff amends its previous response to Order No. 2 to correct dates in the proposed procedural schedule.* In support of its Recommendation, Staff states the following:

I. BACKGROUND AND STATUS UPDATE

On October 9, 2013, Orbit Systems, Inc. (Applicant or Orbit) filed with the Texas Commission on Environmental Quality (TCEQ) an application to amend its water certificate of convenience and necessity (CCN) No. 11982 in Brazoria County, Texas, pursuant to TEX. WATER CODE ANN. §§ 13.246(c), 13.254 and 30 TEX. ADMIN. CODE § 291.113¹. On November 20, 2013, the TCEQ accepted the Applicant's application for filing, and directed to parties to provide public notice pursuant to 30 TEX. ADMIN. CODE § 291.106. On September 1, 2014, pursuant to House Bill 1600 and Senate Bill 567 of the 83rd Legislature, Regular Session, functions relating to the economic regulation of water and sewer utilities were transferred from TCEQ to the PUC. In accordance with the requirement in Order No. 2 for Staff to file a status update by December 10, 2014, due to inadvertent error, this pleading did not get filed on December 10, 2014. Staff requests good cause to accept this filing.

¹ Currently P.U.C. SUBST. R. 24.113.

II. RECOMMENDATION ON FINAL DISPOSITION

Staff is in the process of finalizing its final recommendation and the supporting documentation. Consequently, Staff requests additional time and proposes the procedural schedule below.

III. PROPOSED PROCEDURAL SCHEDULE

<u>Event</u>	<u>Date</u>
Staff to file Final Recommendation.	January 20, 2015
Staff to file a joint proposed order and final tariff.	February 13, 2015

III. CONCLUSION

Staff respectfully requests that the Administrative Law Judge enter an order in accordance with this filing.

Date: December 11, 2014

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

Doug Brown w/permission
Douglas M. Brown
Attorney-Legal Division
State Bar No. 240483866
(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

DOCKET NO. 43241
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on December 11, 2014 in accordance with P.U.C. PROC. R. 22.74.

Doug Brown w/permission
Douglas M. Brown
Stephane