

Control Number: 43587



Item Number: 13

Addendum StartPage: 0

APPLICATION OF TRINITY RTC GP, §
 LLC TO OBTAIN WATER AND §
 SEWER CERTIFICATES OF §
 CONVENIENCE AND NECESSITY IN §
 HARRIS COUNTY §

PUBLIC UTILITY COMMISSION: 22
 PUBLIC UTILITY COMMISSION
 OF TEXAS FILING CLERK

COMMISSION STAFF'S RESPONSE TO ORDER NO. 5 AND REQUEST FOR EXTENSION OF DEADLINE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 5 and Request for Extension of Deadline and would show the following:

I. BACKGROUND

On October 17, 2014, Trinity RTC GP, LLC (Applicant) filed an application to obtain new water and sewer certificates of convenience and necessity (CCN) in Harris County, Texas pursuant to TEX. WATER CODE ANN. Subchapter G and Title 16, TEX. ADMIN. CODE (16 TAC) Subchapter G.

On October 21, 2014, the Commission Administrative Law Judge (ALJ) issued Order No. 1, requiring Commission Staff to file comments on the administrative completeness of the application and proposed notice and to file comments regarding how this petition should be processed and propose a procedural schedule by October 31, 2014. On October 31, 2014, Staff filed its Response to Order No. 1, Status Update, and Request for an Extension of Time. On November 5, 2014, the ALJ issued Order No. 2 extending the deadline for Staff to file comments on the administrative completeness of the application and proposed notice and a proposed procedural schedule until December 1, 2014.

On December 1, 2014, Staff filed its Response to Order No. 2 and Request for an Extension of Time. In this Response, Staff requested that the deadline for Staff to file comments on the administrative completeness of the application and proposed notice be extended in order to allow Staff adequate time to complete the overlap mapping review of the application. On December 5, 2014, the ALJ issued Order No. 3 extending the deadline for Staff to file comments on the administrative completeness of the application and proposed notice and a proposed procedural schedule until January 6, 2015. On January 6, 2015, Staff filed its Response to Order

No. 3, in which Staff recommended that the application be found materially deficient. On January 8, 2015, the ALJ issued Order No. 4 directing the Applicant to file an amended application by February 9, 2015 and Staff to file a supplemental recommendation on administrative completeness by March 11, 2015.

On March 6, 2015, Staff filed its Response to Order No. 4 and recommended that the supplemental mapping information provided by the Applicant on January 27, 2015 was insufficient to cure the deficiencies. On March 10, 2015, the ALJ issued Order No. 5 finding the application incomplete, directing the Applicant to amend its application to cure the deficiencies by April 10, 2015, and directing Staff to file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule by May 15, 2015. This Response is timely filed.

II. STAFF'S REQUEST FOR EXTENSION OF DEADLINE

The Applicant submitted supplemental mapping information in response to Order No. 4 on April 9, 2015. Staff is currently in the process of performing the mapping overlap check on the information submitted regarding the proposed CCN areas. The overlap check allows Staff to determine the location of the Applicant's proposed CCN area and is integral in determining whether the information submitted by the Applicant in its application is sufficient. The overlap check allows Staff to determine whether the Applicant's proposed CCN area overlaps with other existing CCN areas and whether the Applicant has provided notice to the proper affected parties. As such, Staff cannot complete its administrative review of the application until this overlap check is complete. Therefore, good cause exists for Staff to request additional time to complete its overlap check of the proposed CCN areas before submitting a recommendation on the sufficiency and processing of this case. Staff respectfully requests that the ALJ extend the deadline for Staff to file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule until **June 5, 2015**. Staff has conferred with the Applicant and is authorized to represent that the Applicant does not oppose this requested extension.

III. CONCLUSION

Staff respectfully requests that the ALJ extend the deadline for Staff to file a supplemental recommendation regarding administrative completeness of the amended

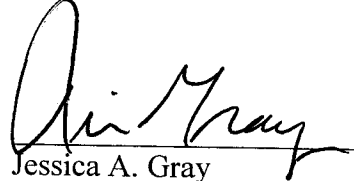
application and notice along with a proposed procedural schedule until **June 5, 2015**, and is authorized to represent that the Applicant does not oppose this requested extension.

Date: May 13, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

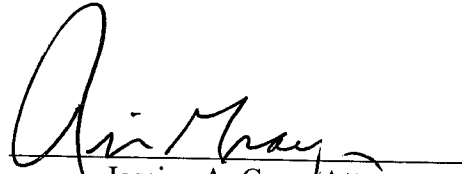
Shelah J. Cisneros
Managing Attorney
Legal Division

A handwritten signature in black ink, appearing to read "Jessica A. Gray", written over a horizontal line.

Jessica A. Gray
State Bar No. 24079236
Attorney, Legal Division
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)

DOCKET NO. 43587
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 13, 2015, in accordance with 16 TAC 22.74.



Jessica A. Gray, Attorney