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DOCKET NO. 43587

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

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PUBLIC UTILITY COMMISSION

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**COMMISSION STAFF'S AMENDED RESPONSE TO ORDER NO. 10 AND
PROPOSED SUPPLEMENTAL PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission) representing the public interest and files this Amended Response to Order No. 10 and Proposed Supplemental Procedural Schedule. Staff files this Amended Response in order to modify Staff's prior proposed procedural schedule, filed on October 16, 2015. Through this application, the parties request new water and sewer certificates of convenience and necessity (CCN), a request for which Staff must perform a detailed and thorough examination of the Applicant's financial, managerial, and technical capability to serve. This review is intensive, time-consuming, and requires more time to be completed than was originally allotted in the prior proposed procedural schedule. The proposed procedural schedule stated herein anticipates the extent of this review and would adjust the deadlines accordingly. In support thereof, Staff 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 August 28, 2015, Staff filed its Response to Order No. 9 recommending that the Applicant had cured the deficiencies identified by Staff and that the application and notice were sufficient for filing. On September 3, 2015, the ALJ issued Order No. 10 finding the application sufficient and adopting a procedural schedule for the proceeding. Pursuant to the procedural

schedule in Order No. 10, Staff filed a proposed supplemental procedural schedule for the proceeding on October 16, 2015.

II. RECOMMENDATION ON NOTICE

On October 5, 2015, the Applicant filed proof of notice indicating that it provided notice of the application as directed by Staff. Staff has reviewed the affidavits of notice, the individual notice issued with the accompanying map, and the published notice and recommends that notice is sufficient. Affected parties have 30 days from the date the Applicant mails or publishes notice, whichever occurs later, to intervene.¹ The Applicant published notice in the *Daily Court Review* on September 4, 2015 and September 11, 2015. The Applicant provided notice to customers on September 15, 2015 and to neighboring utilities and affected parties on September 18, 2015. Therefore, the 30-day intervention deadline ends on October 19, 2015.²

III. PROPOSED AMENDED SUPPLEMENTAL PROCEDURAL SCHEDULE

As stated above, Staff must perform a detailed and thorough examination of the Applicant's financial, managerial, and technical capability to serve due to the nature of this application. This review is intensive, time-consuming, and requires more time to be completed than was originally allotted in the prior proposed procedural schedule. The proposed procedural schedule stated herein anticipates the extent of this review and would adjust the deadlines accordingly.

Therefore, Staff proposes the following amended supplemental procedural schedule:

¹ 16 TAC § 24.106(a)(3).

² Thirty days from September 18, 2015 falls on Sunday, September 18, 2015.

Event	Date
Deadline for filing Comments or Request for Intervention, and deadline for Intervenors to request a hearing	October 19, 2015
Deadline for Staff to provide revised maps and certificates to the parties for review and consent	December 17, 2015
Deadline for parties to file signed consent forms with the Commission showing consent to revised maps and certificates	January 7, 2016
Deadline for Staff's recommendation on final disposition	January 14, 2016
Deadline for Staff to file a proposed notice of approval including findings of fact, conclusions of law, and ordering paragraphs	January 21, 2016

IV. CONCLUSION

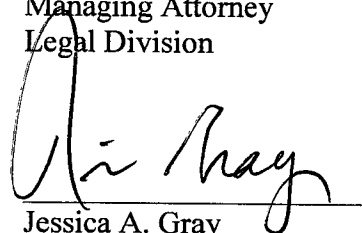
Staff respectfully requests the adoption of Staff's proposed supplemental procedural schedule.

Date: October 19, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

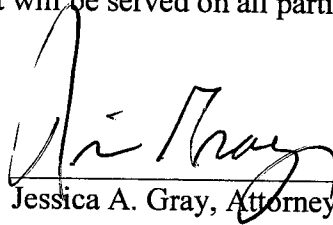
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 19, 2015, in accordance with 16 TAC § 22.74.



Jessica A. Gray, Attorney