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DOCKET NO. 43783

APPLICATION OF THE RIDGE AT	§	PUBLIC UTILITY COMMISSION
FRIO RIVER WATER COMPANY, LLC	§	OF TEXAS
FOR A WATER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
REAL COUNTY	§	

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

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this request for an extension of time to file its response to Order No. 5, and would show the following:

I. Background

On November 12, 2014, the Ridge at Frio River Water Company, LLC (the Ridge) filed with the Public Utility Commission of Texas (Commission) an application to obtain a water certificate of convenience and necessity (CCN) in Real County, Texas. On March 13, 2015, Order No. 5 was issued which required the Ridge to amend its application and cure the remaining deficiencies noted by Staff by April 10, 2015. Order No. 5 also required Staff to file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule by May 11, 2015. Accordingly, this pleading is timely filed.

II. Recommendation on Administrative Sufficiency

The Ridge did not comply with Order No. 5 and cure all deficiencies in its application by April 10, 2015. On March 23, 2015, the Ridge filed supplemental information previously requested by Staff in an attempt to cure the deficiencies. However, Staff has identified two remaining deficiencies:

1. A complete list of neighboring utilities, districts, counties, groundwater conservation districts (GCDs), municipalities and any other entities providing the same type of service within a 5-mile buffer from the proposed water service area.

2. A map showing requests for water service within the proposed water service area.

Staff has been in constant contact with the Applicant to actively process the application since it was filed. Staff's review of water CCN applications is a meticulous, time intensive practice, and Staff has limited resources to process this kind of application. The Applicant has the burden of providing the required information with its application in a timely manner. Processing of the application cannot proceed until the requested items are received and reviewed.

Staff has conferred with the Applicant regarding the remaining deficiencies and both parties are confident that the deficiencies can be cured. In order to afford the Applicant time to file the appropriate supplemental information and to allow Staff the opportunity to provide a thorough analysis of this application, Staff respectfully requests that good cause be found to extend the deadline for Staff's response to Order No. 5.

III. Proposed Procedural Schedule

Due to the pending investigation and review of supplemental information to be filed by the Applicant, Staff does not recommend a procedural schedule for the evaluation of the merits of the application at this time. Staff respectfully requests that good cause be found to extend the deadline for Staff's response to Order No. 5 to May 26, 2015 to file additional comments regarding administrative completeness, along with a proposed procedural schedule if the application is deemed administratively complete.

IV. Conclusion

Staff respectfully requests that an order be issued consistent with this Response.

Dated: May 11, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director – Legal Division

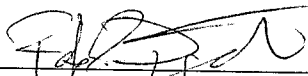
Karen S. Hubbard
Managing Attorney – Legal Division



Ralph J. Daigneault
Attorney-Legal Division
State Bar No. 24040755
(512) 936-7348 (telephone)
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 11, 2015, in accordance with P.U.C. Procedural Rule 22.74.



Ralph J. Daigneault