



Control Number: 44236



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APPLICATION OF CUSTOM WATER COMPANY, LLC FOR A RATE/TARIFF CHANGE	§ § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF'S REQUEST FOR A HEARING

COMES NOW the Staff of the Public Utility Commission of Texas, representing the public interest and would show the following:

On January 12, 2015, Custom Water Company (Applicant) filed an Application for Water Rate/Tariff Change for water Certificate of Convenience and Necessity No. 13211 in Montague County, Texas, pursuant to TEX. WATER CODE ANN. § 13.187 and Title 16, TEX. ADMIN. CODE (16 TAC) § 24.21 and 24.22 (Application). Custom Water proposed an effective date of March 20, 2015.¹

On February 26, 2015, the presiding officer issued Order No. 3, establishing July 20, 2015 as the date for Staff to request a hearing; therefore, this filing is timely.² Pursuant to Order No. 3, Staff respectfully requests that the Commission refer this proceeding to the State Office of Administrative Hearings (SOAH) for further consideration.

Should the Commission refer this case to SOAH, Staff further recommends that Custom Water be ordered to provide notice of the prehearing conference to all of its customers that it proposes to change rates for via bill inserts and using the Commission approved notice language which is included as "Attachment A." Staff additionally recommends that Custom Water provide customers with at least 10-days' notice of the prehearing conference, pursuant to Administrative Procedure Act, Tex. Gov't Code Ann. § 2001.051. Staff further recommends that Custom Water be required to provide proof that it provided notice to its customers via affidavit. Finally, due to scheduling conflicts of both the Applicant and the undersigned attorney, Staff would respectfully request that should the Commission refer this case to SOAH, the prehearing conference be scheduled no earlier than August 3, 2015, and not be scheduled during the week of August 9th.

¹ Customer Water Company's Application at 33 (Jan. 12, 2015).

² Order No. 3 Finding Application Complete, Approving Effective Date, and Adopting Procedural Schedule at 2 (Feb. 26, 2015).

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DATE: July 20, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Karen S. Hubbard
Managing Attorney
Legal Division



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Public Utility Commission of Texas
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PUC DOCKET NO. 44236

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 20th of July, 2015, in accordance with P.U.C. Procedural Rule 22.74.



Katherine Lengieza Gross

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Brandy D. Marty
Commissioner

Brian H. Lloyd
Executive Director



Greg Abbott
Governor

Public Utility Commission of Texas

NOTICE OF PREHEARING CONFERENCE

SOAH Docket No. SOAH ###-##-####.WS (to be determined)
PUC Docket No. 44236

Application

Custom Water Company, LLC. has applied to the Public Utility Commission of Texas (PUC) to change water rates/tariffs effective March 20, 2015 for its service area located in Montague County, Texas Certificate of Convenience and Necessity No. 13211.

Prehearing Conference

The State Office of Administrative Hearings (SOAH) will conduct a prehearing conference on this application on:

(insert date)

William P. Clements Building
300 W. 15th Street, Suite # 408
Austin, Texas 78701-1649

The purpose of a prehearing conference is to name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary phase of the proceeding will be similar to a civil trial in state district court. The prehearing conference will be conducted in accordance with Chapter 2001 of the Texas Government Code; Chapter 13 of the Texas Water Code; the PUC's Substantive Rules, including Title 16 of the Texas Administrative Code (TAC) Chapter 24; and the PUC's Procedural Rules, including 16 TAC Chapter 22. More information regarding the PUC's rules and procedures can be found at <http://www.puc.texas.gov>.

Persons with disabilities who plan to attend this prehearing conference and who need special accommodations at the prehearing conference should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the prehearing conference. For more information on SOAH, you may visit <http://www.soah.state.tx.us> or email: questions@soah.state.tx.us.

Intervention Information

Persons who wish to become intervenor parties to this proceeding may do so by either:

- Attending the prehearing conference and showing that he or she would be affected by the application in a way not common to members of the general public; or
- Filing a request to intervene with the PUC. Persons affected by the rate increase who wish to intervene but not attend the scheduled prehearing conference must submit 10



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copies of a request to intervene by mail to the Public Utility Commission of Texas, Central Records, P.O. Box 13326, Austin, Texas 78711-3326. A request to intervene must include the name, address, and phone number of the intervenor, written legibly or typed.

- Protests or requests for a hearing that were previously submitted are insufficient to establish intervenor party status in this proceeding.