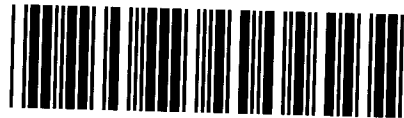


Control Number: 44621



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Addendum StartPage: 0

**DOCKET NO. 44621**

**JOINT APPLICATION OF YES PREP §  
PUBLIC SCHOOLS AND SUBURBAN §  
UTILITY COMPANY TO §  
DECERTIFY YES PREP PROPERTY §  
FROM SUBURBAN WATER §  
COMPANY'S CERTIFIED SERVICE §  
AREA**

**PUBLIC UTILITY COMMISSION** 2015 SEP 19 9:19  
**OF TEXAS** PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S RESPONSE TO ORDER NO. 7**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 7.

**I. Background**

On April 8, 2015, YES Prep Public Schools (YES Prep) and Suburban Utility Company (Suburban) filed a Joint Application for Decertification of YES Prep Property from Suburban's Retail Water Certificated Service Area (Application). The Application seeks to decertify YES Prep's property from Suburban's service area Certificate of Convenience and Necessity (CCN) No. 10835. This Application was filed pursuant to the Emergency Order issued by the Commission in Docket No. 44322.<sup>1</sup>

On August 6, 2015, Staff filed a recommendation that the mailed and published notices provided by YES Prep be deemed insufficient because the notices were inconsistent with Order No. 3. On August 19, 2015, the Administrative Law Judge (ALJ) issued Order No. 7 requiring YES Prep to mail additional notice to neighboring utilities but did not require YES Prep to republish notice in *The Houston Chronicle*. Order No. 7 also required Staff to file an updated procedural schedule thirty (30) days after the provision of notice. YES Prep mailed additional notice on August 20, 2015. Therefore, this response is timely filed.

**II. Proposed Procedural Schedule**

Staff recommends the following procedural schedule:

<sup>1</sup> Request of YES Prep Public Schools for Emergency Order to Obtain Water Service from Sunbelt Fresh Water Supply District, Docket No. 44322, Emergency Order at 6 (Mar. 17, 2015).

Deadline for intervention; deadline for intervenor comments and/or requests for a hearing.	September 21, 2015 <sup>2</sup>
Deadline for Staff to request a hearing or file a recommendation on final disposition of the Application.	October 27, 2015
Deadline for parties to file a response to Staff's recommendation, or deadline for parties to file a joint proposed notice of approval, including findings of fact, conclusions of law, and ordering paragraphs.	November 17, 2015

### III. Conclusion

Staff respectfully requests that the ALJ issue an order consistent with this Response.

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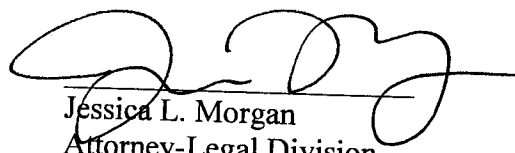
<sup>2</sup> Thirty days from August 20, 2015 is Saturday, September 19, 2015. Pursuant to 16 Tex. Admin. Code § 22.4, when counting days, the "period shall conclude on the last day of the designated period unless that day is a day the commission is not open for business, in which event the designated period runs until the end of the next day on which the commission is open for business."

**Dated: September 18, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Karen S. Hubbard  
Managing Attorney  
Legal Division

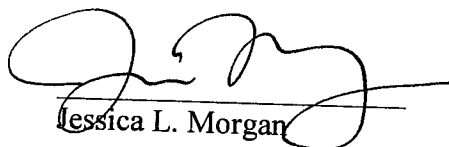


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**DOCKET NO. 44621**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this September 18, 2015 in accordance with 16 TAC § 22.74.



Jessica L. Morgan