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DOCKET NO. 44621

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

PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

ORDER NO. 2
FINDING APPLICATION INCOMPLETE AND DEFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE

I. Application

On April 8, 2015, YES Prep Public Schools (YES Prep) and Suburban Utility Co. (Suburban) (jointly Applicants) filed with the Public Utility Commission of Texas (Commission) a joint application to decertify YES Prep's property from Suburban's service area Certificate of Convenience and Necessity No. 10835.

II. Staff Recommendation on Administrative Completeness of the Application

On May 8, 2015, Commission Staff filed comments on the application. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies, as specifically described in Commission Staff's May 8, 2015 filing and the attached memorandum of Elisabeth English and Suzanne Burt of the Commission's Water Utility Regulation Division. Pursuant to 16 Tex. Admin. Code § 24.8(a), applications are not considered filed until a determination of administrative completeness is made, thus at this time the application is not considered filed with the Commission.

In addition, Commission Staff recommended that Applicants should not publish notice of the application until these discrepancies are corrected and approved by Staff.

III. Proposed Procedural Schedule

Commission Staff proposes that Applicants be given time to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional comments

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regarding completeness of the amended application, along with a proposed procedural schedule once the application is administratively complete.

IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure

Consistent with Commission Staff's recommendation, the application is deemed to be administratively incomplete and deficient. On or before **May 15, 2015**, YES Prep and Suburban shall amend the application to cure the deficiencies noted by Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **May 27, 2015**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule.

SIGNED AT AUSTIN, TEXAS the 12th day of May 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE