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DOCKET NO. 44875

**APPLICATION OF AQUA TEXAS,
INC. DBA AQUA TEXAS TO AMEND
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN MONTGOMERY
COUNTY**

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PUBLIC UTILITY COMMISSION

OF TEXAS
PUBLIC UTILITY COMMISSION
FILING CLERK

**ORDER NO. 4
APPLICATION REMAINS DEFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

I. Application

On June 24, 2015, Aqua Texas, Inc. d/b/a Aqua Texas filed with the Public Utility Commission of Texas (Commission) an application to amend its water certificate of convenience (CCN) No. 13203 and sewer CCN No. 21065 in Montgomery County, Texas.

II. Staff Recommendation on Administrative Completeness of the Application

On November 23, 2015, Commission Staff filed a response to Order No. 3 and recommended the application be found materially deficient. Commission Staff has determined that the application remains deficient due to mapping issues specifically described in Commission Staff's November 23, 2015 filing and the attached memorandum of Debbie Reyes Tamayo and Tracy Harbour of the Commission's Water Utilities 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 the Applicant should not publish notice of the application until these discrepancies are corrected and approved by Staff.

III. Proposed Procedural Schedule

Commission Staff proposes that Applicant be given until December 21, 2015 to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional comments regarding completeness of the amended application, along with a proposed procedural schedule by January 18, 2016.

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

Consistent with Commission Staff's recommendation, the application is found administratively incomplete and deficient. On or before **December 21, 2015**, Applicant shall amend its 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 **January 18, 2016**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule, if appropriate.

SIGNED AT AUSTIN, TEXAS on the 24th day of November 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE