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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**

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FILED
Public Utility Commission

**ORDER NO. 2
FINDING APPLICATION INCOMPLETE AND 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. Order No. 1 required Commission Staff to file comments on the administrative completeness of the application and proposed notice.

II. Staff Recommendation on Administrative Completeness of the Application

On July 24, 2015, Commission Staff filed a response to Order No. 1. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies as specifically described in Commission Staff's July 24, 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 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 found administratively incomplete and deficient. On or before **August 24, 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 **September 24, 2015**, 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 28th day of July 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE