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DOCKET NO. 45447

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APPLICATION OF PONDER
ENTERPRISES INC. DBA
LONGHORN CO. FOR A CLASS C
RATE ADJUSTMENT

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PUBLIC UTILITY COMMISSION
OF TEXAS

2016 JAN 22 PM 4:05
PUBLIC UTILITY COMMISSION
FILING CLERK

**ORDER NO. 2
FINDING APPLICATION ADMINISTRATIVELY COMPLETE AND
REQUIRING TARIFF SHEETS**

On December 17, 2015, Ponder Enterprises Inc. dba Longhorn Co. (Ponder), filed with the Public Utility Commission of Texas (Commission) an application for a price index rate adjustment pursuant to Texas Water Code § 13.1872 and 16 Tex. Admin. Code § 24.36 (TAC). Ponder requested an effective date of January 18, 2016 for the proposed rate increase.


On January 19, 2016, Commission Staff recommended the application be deemed administratively complete and recommended approval of the application. Commission Staff also noted that due to the requirement in 16 TAC § 24.36(e), that an applicant provide notice of a proposed rate change at least 30 days before the effective date of the proposed rate, Ponder cannot implement the proposed rates on the requested effective date. Instead, Commission Staff recommended that Ponder be required to provide revised notice, to reflect the change in effective date, no later than February 18, 2016, with new rates to be effective March 18, 2016. Finally, Commission Staff requested that it be allowed to file compliance tariff sheets 30 days from the order approving the application.

Consistent with Commission Staff's recommendation, Ponder's application is deemed administratively complete. However, the application is not approved in this Order. If a tariff is required, an order approving new rates cannot be issued without accompanying tariff sheets. Therefore here, an order approving the application, which would also establish a deadline for Ponder to provide revised notice and an effective date, can only be issued when tariff sheets have been provided by Commission Staff. It appears that there is sufficient time for Commission Staff to submit compliance tariff sheets and allow Ponder to implement the rate change on the dates proposed by Commission Staff. However, the timing depends on when compliance tariff sheets are provided.

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SIGNED AT AUSTIN, TEXAS the 22nd day of January 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE