



Control Number: 45447



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DOCKET NO. 45447

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

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PUBLIC UTILITY COMMISSION: 30

2016 FEB -9 PM 3:30
PUBLIC UTILITY COMMISSION
OF TEXAS
BILLING CLERK

CORRECTED NOTICE OF APPROVAL

This Notice addresses the application of Ponder Enterprises Inc. d/b/a Longhorn Co. (Ponder) for a Class C rate adjustment. Public Utility Commission of Texas (Commission) Staff recommends approval of the application. The application is approved. This corrected Notice provides the tariff sheets that were inadvertently omitted from the Notice filed on February 4, 2016.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. On December 17, 2015, Ponder filed an application for a Class C rate adjustment pursuant to Tex. Water Code § 13.1872 (TWC) and 16 Tex. Admin. Code § 24.36 (TAC) (Application).
2. On January 19, 2016, Commission Staff recommended that the Application be deemed administratively complete and approved. Commission Staff requested additional time to file tariff sheets that reflect the approved rate change.
3. On January 22, 2016, Order No. 2 was issued, deeming the Application administratively complete, but declining to approve the Application until compliance tariff sheets have been provided.
4. On January 26, 2016, Commission Staff filed a compliance tariff sheets for Ponder, and on January 27, 2016 filed an errata to the compliance tariff sheets, correcting a typographical error.
5. The tariff sheets discussed in Finding of Fact No. 4 are attached to this Notice.

Rate Adjustment Requested

6. Ponder requested an adjustment to its water tariff base rate (monthly meter charge) and its monthly gallonage rate based on the Commission's current price index of 1.57%.

7. Commission Staff proposed a March 18, 2016 effective date for Ponder's requested rate increase to coincide with the appropriate billing cycle and satisfy the 30-day noticing requirement of 16 TAC § 24.36(e).

II. Conclusions of Law

1. The Commission has jurisdiction over this proceeding pursuant to TWC §§ 13.041 and 13.1872.
2. Ponder is a utility as that term is defined in TWC § 13.002(23) and is also defined as a Class C utility in TWC § 13.002(4-c), that provides retail water or sewer utility service through fewer than 500 taps or connections.
3. Pursuant to TWC § 13.1872(e), a Class C utility is allowed to receive, without a hearing, an annual rate adjustment based on changes in the "price index," as that term is defined in TWC § 13.1872(b).
4. The Commission-approved price index for calendar year 2016 is 1.57%.¹
5. The application was processed in accordance with the requirements of the TWC and the Commission's rules.
6. Ponder is entitled to approval of the price index rate adjustment requested in the Application, having demonstrated that the requirements of TWC § 13.1872 and 16 TAC § 24.36 have been satisfied.
7. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. Ponder's Application is approved.
2. Ponder's new rates may go into effect on or after March 18, 2016.

¹ *Setting Price Index for Calendar Year 2016*, Order at 1 (Nov. 20, 2015).

3. Ponder shall issue the amended notice of this approved rate change recommended by Commission Staff at least 30 days before the effective date of the rate change.
4. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS the 9th day of February 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE

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WATER UTILITY TARIFF

Docket Number: 45447

Ponder Enterprises, Inc. dba Longhorn Company
(Utility Name)

5772 Tim Donald Road
(Business Address)

Justin, Texas 76247
(City, State, Zip Code)

(940) 648-5263
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

12810

This tariff is effective in the following counties:
Denton

This tariff is effective in the following cities or unincorporated towns (if any):
None

This tariff is effective in the following subdivisions or public water systems:
Double Rock Estates: PWS ID #0610179
Longhorn Meadows Addition: PWS ID #0610217

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The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

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SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size:</u>	<u>Monthly Minimum Charge</u> (Includes 0 gallons)	<u>Gallage Charge</u>
5/8"	<u>\$45.71</u>	<u>\$5.08 per 1,000 gallons</u>
3/4"	<u>\$68.56</u>	
1"	<u>\$114.27</u>	
1 1/2"	<u>\$228.53</u>	
2"	<u>\$365.65</u>	
3"	<u>\$685.60</u>	

Pass Through Fees:

*An additional charge of the North Texas Groundwater Conservation District Fees (NTGWCD) Regulatory Water Use Fee of \$0.11 per 1,000 gallons (Effective January 18, 2012)

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash Check X Money Order X Credit Card Other (specify)
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT..... 1.0%
PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fee

TAP FEE..... \$850.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Unique Costs) Actual Cost
FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

TAP FEE (Large Meter) Actual Cost
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE Actual Relocation Cost, Not to Exceed Tap Fee
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED

METER TEST FEE..... \$25.00
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

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SECTION 1.0 -- RATE SCHEDULE (Continued)

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00).....\$25.00
- b) Customer's request that service be disconnected.....\$20.00

TRANSFER FEE.....\$30.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)\$5.00

PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE.....\$25.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50).....\$50.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT..... 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE:

WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [30 TAC 24.21(K)(2)]

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

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