

Control Number: 45489



Item Number: 93

Addendum StartPage: 0

SOAH DOCKET NO. 473-18-4178.WS  
PUC DOCKET NO. 45489

RECEIVED  
2018 NOV 29 PM 1:31

APPLICATION OF CITY OF § BEFORE THE STATE OFFICE  
GREGORY TO OBTAIN §  
CERTIFICATES OF CONVENIENCE § OF  
AND NECESSITY IN SAN PATRICIO §  
COUNTY § ADMINISTRATIVE HEARINGS

**COMMISSION STAFF'S RECOMMENDATION AND MOTION TO REMAND**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation and Motion to Remand in response to SOAH Order No. 6 and would show the following:

**I. BACKGROUND**

On December 31, 2015, the City of Gregory (Gregory) filed an application with the Public Utility Commission of Texas (Commission) to obtain new water and sewer certificates of convenience and necessity (CCN) in San Patricio County, Texas. Gregory seeks to acquire CCNs for the area within its extraterritorial jurisdiction (ETJ).

On June 12, 2018, an Order of Referral was issued, referring the application to the State Office of Administrative Hearings (SOAH). On August 13, 2018, Staff filed a status report indicating Staff's understanding that Gregory intended to amend its application to alter its requested CCN area to only include areas to which Gregory currently provides service. On November 9, 2018, Gregory filed maps revising its requested CCN area. On November 8, 2018, SOAH Order No. 6 was issued, establishing a deadline of November 29, 2018, for Staff to file a recommendation on Gregory's amendment to its application and propose an additional procedural schedule. This pleading is therefore timely filed.

**II. RECOMMENDATION AND MOTION TO REMAND**

Staff has reviewed the supplemental information Gregory has filed, including the revised CCN maps filed on November 9, 2018. Staff's review indicates that Gregory has provided the information necessary for Staff to evaluate and make a recommendation on Gregory's revised application. Staff therefore moves that this matter be remanded to the Commission for

administrative disposition. Staff will propose a procedural schedule for continued processing of this case after this motion for remand has been ruled upon.

### **III. CONCLUSION**

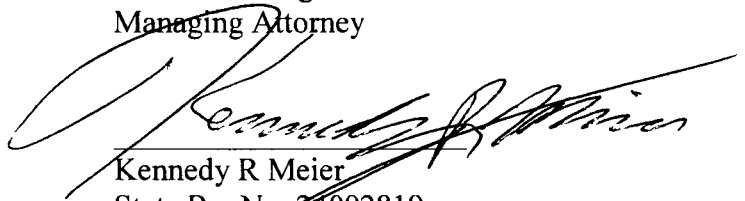
Staff has determined that Gregory has provided the information necessary for Staff to complete its evaluation of, and make a recommendation on, Gregory's application. Staff therefore moves that this proceeding be remanded to the Commission for administrative disposition.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

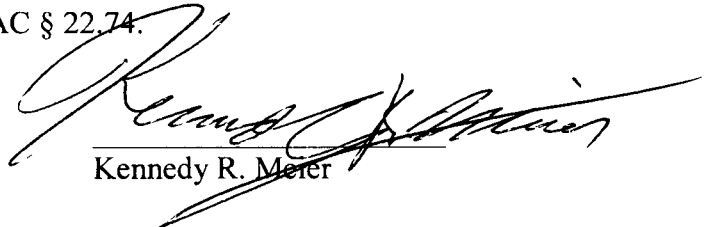


Kennedy R Meier  
State Bar No. 24092819  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7265  
(512) 936-7268 (facsimile)  
Kennedy.Meier@puc.texas.gov

**SOAH DOCKET NO. 473-18-4178.WS  
PUC DOCKET NO. 45489**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 29<sup>th</sup> of November, 2018 in accordance with 16 TAC § 22.74.



Kennedy R. Meier