



Control Number: 45552



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DOCKET NO. 45552

RECEIVED

APPLICATION OF OLD TAMINA §
WATER SUPPLY CORPORATION TO §
AMEND ITS WATER CERTIFICATE §
OF CONVENIENCE AND NECESSITY §
FOR DUAL CERTIFICATION WITH §
THE CITY OF SHENANDOAH IN §
MONTGOMERY COUNTY (37615-C) §

PUBLIC UTILITY COMMISSION
NOV 20 PM 2:49
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S REQUEST FOR AN AMENDED PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 10, and would show the following:

On May 15, 2013, Old Tamina Water Supply Corporation (Old Tamina) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12289 for a dual certification with the City of Shenandoah (Shenandoah) and obtain a new water CCN in Montgomery County with the Texas Commission on Environmental Quality (TCEQ). On May 27, 2016, the Administrative Law Judge (ALJ) issued Order No. 1 granting Old Tamina's Motion to sever the application to obtain a sewer CCN from the water CCN application for dual certification.

Order No. 10, issued November 20, 2017, required Old Tamina to amend its application by October 18, 2017. Old Tamina has not filed an amendment. Order No. 10 also required Staff to file comments regarding administrative completeness by November 20, 2017. Because Old Tamina has not amended its application, Staff requests that Staff's deadline be suspended until Old Tamina amends its application.

CU

Dated: November 20, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

WITH PERMISSION

Landon Lill *KRB*

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 20, 2017 in accordance with 16 TAC § 22.74.

WITH PERMISSION

Landon Lill *KRB*
Landon J. Lill

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO
OLD TAMINA WATER SUPPLY CORPORATION (OLD TAMINA WSC)
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-3**

DEFINITIONS

- A. "Old Tamina WSC", "Company" or "you" refers to Old Tamina Water Supply Corporation and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

- B. "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do not exist and these documents will be provided.

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INSTRUCTIONS

- 1) Pursuant to 16 Tex. Admin. Code § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 Tex. Admin. Code § 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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- Staff 1-1 What has the utility done to address the active TCEQ violations related to exceeding the 85% capacity rule?
- Staff 1-2 How will the utility provide adequate water service to the newly proposed customers, when the utility is already exceeding the TCEQ's 85% capacity rule?
- Staff 1-3 Provide the purchase water agreement with Chateau Woods MUD allowing for the proposed customer increase.