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DOCKET NO. 45656

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APPLICATION OF AQUA TEXAS,
INC. AND MONTGOMERY COUNTY
MUNICIPAL UTILITY DISTRICT
NO. 126 FOR APPROVAL OF A
SERVICE AGREEMENT
DESIGNATING SERVICE AREA AND
CERTIFICATE RIGHTS, AND TO
DECERTIFY CERTAIN AREAS IN
MONTGOMERY COUNTY

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PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

ORDER NO. 1

**REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS AND NOTICE;
REQUESTING PROCEDURAL SCHEDULE, AND
ADDRESSING OTHER PROCEDURAL MATTERS**

I. Application

On February 24, 2016, Aqua Texas, Inc. d/b/a Aqua Texas (Aqua) and Montgomery County Municipal Utility District No. 126 (MUD 126) filed an application for approval of a service agreement under Texas Water Code § 13.248 (TWC), which would transfer a portion of Aqua's water certificate of convenience (CCN) No. 13203 and sewer CCN No. 21065 service areas to MUD 126, and to decertify a portion of Aqua's water CCN No. 13203 and sewer CCN No. 21065 in Montgomery County.

**II. Requiring Comments on the Administrative Completeness of Application
and Proposed Notice**

By **March 24, 2016**, Commission Staff shall file comments on the administrative completeness of the application and proposed notice. By **March 24, 2016**, the Company and Commission Staff shall file comments/recommendation regarding how this petition should be processed and propose a procedural schedule. Notice of this application will appear in the March 11, 2016, issue of the *Texas Register*.

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III. Requiring Comments on Requested Transfer

This application requests approval of a service agreement that would transfer an approximately 173.63 acre portion of Aqua's water and sewer CCNs to MUD 126. However, it does not appear that MUD 126 currently holds CCNs for purposes of certificated service area transfers. By **March 24, 2016**, Commission Staff shall comment on whether this application includes a request that new water and sewer CCNs be granted to MUD 126 and whether this application is appropriate under TWC § 13.248.

IV. Discovery

Discovery may proceed informally; however, objections to Requests for Information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections shall include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five (5) working days of receipt of an objection. The motion to compel shall specify the grounds for the motion.

V. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission filing clerk according to 16 Tex. Admin. Code § 22.71 (TAC). A copy of each document filed with the Commission must also be served on all parties as provided in 16 TAC § 22.74. All filings can be accessed on the PUC Interchange, <http://interchange.puc.texas.gov>.

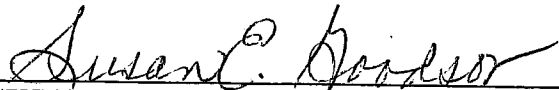
All parties shall provide their current addresses, telephone and facsimile numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party shall provide the Commission and all parties with updated address, telephone, and facsimile information if such information changes. The telephone and facsimile numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

VI. Ex Parte Communications

Ex parte communications with the administrative law judges and presiding officer (collectively, ALJs) are prohibited. Parties shall communicate with the ALJs only through written documents filed with the Commission's Filing Clerk and served on all parties. Questions concerning this order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

SIGNED AT AUSTIN, TEXAS the 7th day of March 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE