

Control Number: 45720



Item Number: 174

Addendum StartPage: 0

DOCKET NO. 45720 SOAH DOCKET NO. 473-16-3831.WS

RECEIVED

APPLICATION OF RIO CONCHO AVIATION, INC. FOR A RATE/TARIFF CHANGE BEFORE THE PUBLIC 11: 04
UTILTIY COMMISSION 11SS10
OF TEXASC CLERK

RIO CONCHO AVIATION, INC.'S MOTION FOR REHEARING

§ §

COMES NOW, Rio Concho Aviation, Inc. ("Rio Concho") and files this Motion for Rehearing, and in support, Rio Concho would respectfully show the following:

During the Public Utility Commission of Texas ("Commission") consideration of the proposal for decision ("PFD") in this matter, the Commission Staff was asked to recalculate Rio Concho's rates pursuant to the Commission's deliberations on May 4 and May 18, 2017. In reviewing Staff's number runs, Rio Concho has observed that the proposed revenue requirement and rate schedule do not include any expenses or revenues for the Northern Trinity Groundwater Conservation District ("NTGCD") fees, 1 nor does the PFD address those fees. Rio Concho requests that a specific provision be included in the final order and rate tariffs clarifying that Rio Concho may assess a rate pass through for the NTGCD fees as are currently included in Rio Concho's previously approved tariff.²

Rio Concho prays that this Motion for Rehearing be granted for the reasons stated above.

¹ See Commission Staff Memorandum regarding Commission Number Runs-Based on May 4, 2017 Open Meeting Discussion filed May 12, 2017 (Item 170), page 5 (reduction in utility other revenues of \$676 related to NTGCD fee income and revenue requirement includes no expenses related to NTGCD fees).

² Docket No. 43728, Final Order dated December 18, 2018, page 8.

Respectfully submitted,

By: John J. Carlton

John J. Carlton The Carlton Law Firm P.L.L.C. 2705 Bee Cave Road, Suite 200 Austin, Texas 78746 (512) 614-0901 Fax (512) 900-2855 State Bar No. 03817600

ATTORNEY FOR RIO CONCHO AVIATION, INC.

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 16th day of June, 2017.

John Carlton