



Control Number: 45848



Item Number: 82

Addendum StartPage: 0

**PUC DOCKET NO. 45848  
SOAH DOCKET NO. 473-16-5011.WS**

**CITY OF CELINA'S NOTICE OF  
INTENT TO PROVIDE WATER AND  
SEWER SERVICE TO AREA  
DECERTIFIED FROM AQUA TEXAS,  
INC. IN DENTON COUNTY**

§  
§  
§  
§  
§

**BEFORE THE**  
**PUBLIC UTILITY COMMISSION**  
**OF TEXAS**

RECEIVED  
AUG 3 2017  
PM 1:48

**COMMISSION STAFF'S RESPONSE TO AQUA TEXAS, INC.'S SECOND MOTION  
FOR REHEARING**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Response to Aqua Texas, Inc.'s Motion for Rehearing. In support thereof, Staff shows the following:

On April 13, 2017, the Commission issued a final order in this matter. On May 8, 2017, Aqua Texas, Inc. (Aqua) timely filed a Motion for Rehearing. The Commission issued an Order on Rehearing on June 29, 2017, which clarified certain language, but did not change the Commission's reasoning or ultimate decision. On July 19, 2017, Aqua filed a second Motion for Rehearing. Pursuant to Tex. Govt. Code § 2001.146(b), a party must file a reply to a motion for rehearing not later than the 40<sup>th</sup> day after the date the decision or order that is the subject of the motion is signed. Therefore, this reply is timely filed by August 8, 2017.

Staff continues to support the Commission's decision in this proceeding and respectfully recommends denial of Aqua's second Motion for Rehearing. The Commission's Order on Rehearing is supported by substantial evidence, is in the public interest, and is in compliance with the law. The second Motion for Rehearing filed by Aqua is indistinguishable from its first Motion for Rehearing and thereby fails to raise any new issues that were not already considered by the Commission and addressed in the Order on Rehearing. Accordingly, Aqua's second Motion for Rehearing should be denied.

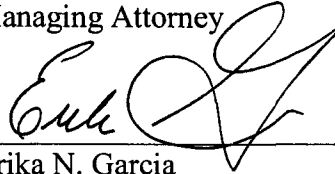
Dated: August 3, 2017

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

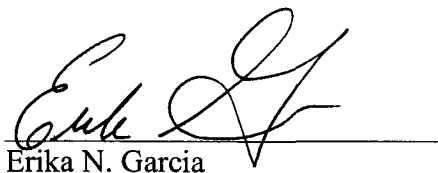


Erika N. Garcia  
State Bar No. 24092077  
(512) 936-7290  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7268 (facsimile)  
Erika.garcia@puc.texas.gov

**PUC DOCKET NO. 45848  
SOAH DOCKET NO. 473-16-5011.WS**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record on August 3, 2017, in accordance with 16 TAC § 22.74.



Erika N. Garcia