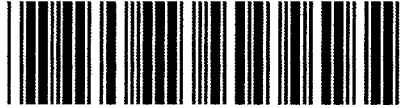




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APPLICATION OF CRYSTAL §
SPRINGS WATER COMPANY, INC. §
TO AMEND CERTIFICATES OF §
CONVENIENCE AND NECESSITY §
IN MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE AND
UPDATED PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files Staff's Updated Procedural Schedule in response to Order No. 2.

I. BACKGROUND

On May 31, 2016, Crystal Springs Water Company, Inc. (Crystal Springs) filed an application with the Public Utility Commission of Texas to amend its water certificate of convenience and necessity (CCN) No. 11373 and sewer CCN No. 20906 in Montgomery County, Texas. Crystal Springs seeks the amendment to provide water utility service to approximately 121 acres of land. Staff recommended that the application be found administratively complete on June 30, 2016. Staff also recommended that Crystal Springs be directed to provide proof of TCEQ approval plans and to file proof of notice.

On July 7, 2016, the administrative law judge (ALJ) issued Order No. 2, finding the application administratively complete. The ALJ abated the proceeding for up to 60 days pending Crystal Springs' submission of TCEQ's approval of its plans. The Order set August 29, 2016 as the deadline for Crystal Springs to file proof that TCEQ approved its plans. The Order also required Staff to file commends on sufficiency of any filing made by Crystal Springs and propose an additional procedural schedule within ten days of Crystal Springs' submission of proof, but no later than September 13, 2016.

On August 1, 2016, Crystal Springs filed affidavits of notice, copies of mailed notices, and copies of published notice. On August 2, 2016, Crystal Springs filed a letter from TCEQ dated July 29, 2016 stating that TCEQ conditionally approved Crystal Springs' construction plans. Ten days from August 2, 2016 is August 12, 2016. Therefore, this recommendation is timely filed.

II. SUFFICIENCY OF NOTICE

Notice requirements for CCN applications are governed by Tex. Water Code Ann. § 13.246 and 16 Tex. Admin. Code § 24.106 (TAC). In this case, Crystal Springs has submitted an affidavit indicating that notice was given in a newspaper regularly published and generally circulated in Montgomery County along with a copy of the notice in the newspaper. Crystal Springs published notice in the newspaper on July 15, 2016 and July 22, 2016.

Additionally, Crystal Springs submitted affidavits that notice was mailed to districts, groundwater conservation districts, counties, utilities, cities and affected parties within a two mile radius of the proposed service area on July 12, 2016. Crystal Springs included copies of those notices along with a map of the proposed service area. Therefore, Staff concludes that Crystal Springs has complied with all of the notice requirements and recommends that notice be found sufficient.

III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	July 22, 2016
Deadline for intervention	August 22, 2016 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if Applicable), to Crystal Springs for review and consent	October 21, 2016
Deadline for Applicant to file signed consent forms with the Commission	November 4, 2016
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	November 14, 2016
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	November 18, 2016

IV. CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with the above recommendation.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on July 12, 2016, and published on July 15 and July 22, 2016. Thirty days after July 22, 2016 (the latest date) is Sunday, August 21, 2016. The next business day is August 22, 2016.

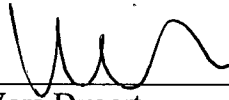
Dated: August 11, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

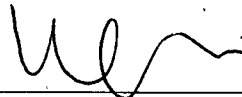


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 11, 2016, in accordance with 16 TAC § 22.74.



Vera Dygert