



Control Number: 46067



Item Number: 14

Addendum StartPage: 0

APPLICATION OF QUADVEST, L.P. TO AMEND ITS CERTIFICATES OF CONVENIENCE AND NECESSITY IN MONTGOMERY COUNTY	§ § § §	PUBLIC UTILITY COMMISSION OF TEXAS	RECEIVED 2016 SEP 12 AM 10:29 PUBLIC UTILITY COMMISSION FILING CLERK
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### COMMISSION STAFF'S NOTICE DEFICIENCY RECOMMENDATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Staff's Notice Deficiency Recommendation. In support thereof, Staff shows the following:

#### I. BACKGROUND

On June 16, 2016, Quadvest, L.P. (Quadvest) filed an application with the Commission to amend its water and sewer certificates of convenience and necessity (CCN) Nos. 11612 and 20952 in Montgomery County, Texas. The area that Quadvest seeks to add to its CCN service areas consists of approximately 202 acres and there are no current customers.

On July 21, 2016, the administrative law judge (ALJ) issued Order No. 3, finding the application administratively complete and ordering Quadvest to file proof of notice by August 31, 2016. On September 2, 2016 Quadvest filed such proof of notice. Order No. 3 also required Staff to file a recommendation on the sufficiency of this notice within 10 days of Quadvest's filing. Ten days from September 2, 2016 is September 12, 2016. Therefore, this pleading is timely filed.

#### II. NOTICE DEFICIENCY RECOMMENDATION

Staff has reviewed the proof of notice that Quadvest filed on September 2, 2016 and recommends that it be found deficient. Quadvest filed copies of the mailed and published notice as well as an affidavit attesting that mailed notice was sent. However, Quadvest failed to include a publisher's affidavit affirming that the attached notice was published. Staff recommends that Quadvest be ordered to file a supplement including a publisher's affidavit.

### **III. PROCEDURAL SCHEDULE**

Due to the continued deficiency in Quadvest's notice, Staff does not recommend a further procedural schedule for the evaluation of the merits of the Application at this time. Staff recommends that Quadvest be given until September 30, 2016 to file a supplement containing a publisher's affidavit and that Staff be given 10 days from Quadvest's filing to file a supplemental recommendation regarding notice sufficiency.

### **IV. CONCLUSION**

For the above stated reasons, Staff respectfully recommends that Quadvest's notice be found deficient, that Quadvest be ordered to file a publisher's affidavit by September 30, 2016, and that Staff be given 10 days from Quadvest's filing to file a supplemental recommendation on notice sufficiency.

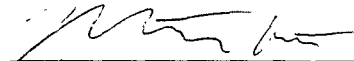
Dated: September 12, 2016

Respectfully Submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

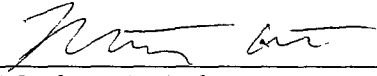
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**DOCKET NO. 46067**  
**CERTIFICATE OF SERVICE**

I, Matthew Arth, Attorney – Legal Division of the Public Utility Commission of Texas, certify that a copy of this document was served on all parties of record in this proceeding on September 12, 2016 in the following manner: via facsimile.

  
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Matthew A. Arth