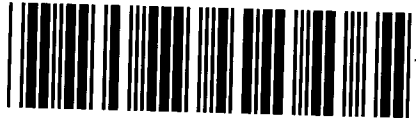


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RECEIVED

APPLICATION OF NITSCH & SON  
UTILITY COMPANY, INC. FOR A  
RATE/TARIFF CHANGE

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PUBLIC UTILITY COMMISSION  
OF TEXAS

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PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S REQUEST FOR A HEARING**

Comes Now Staff of the Public Utility Commission of Texas, representing the public interest, and files this Request for a Hearing.

**I. Background**

On June 16, 2016, Nitsch & Son Utility Company, Inc. (Nitsch) applied for a Class B rate/tariff change for water service under Certificate of Convenience and Necessity (CCN) No. 11124 and sewer service under CCN No. 20446. Nitsch proposed an effective date of July 27, 2016.

In Order No. 2, issued July 19, 2016, the Administrative Law Judge (ALJ) deemed the application administratively complete and suspended the effective date of the rate change until April 18, 2017, or the issuance of a final order, whichever occurs first. The ALJ also set the deadline for Staff to request a hearing as November 23, 2016. This pleading is therefore timely filed.

**II. Request for Hearing**

Pursuant to 16 Tex. Admin. Code § 24.28(c)(1), the Commission may set the matter for hearing on its own motion at any time within 120 days after the effective date of the rate change. As noted above, the proposed effective date of the rate change was July 27, 2016, and the effective date has been suspended until April 18, 2017. Thus, the deadline for requesting referral to the State Office of Administrative Hearings (SOAH) has not passed. Staff hereby requests that this matter be referred to SOAH for an evidentiary hearing.

**III. Conclusion**

Staff respectfully requests issuance of an order consistent with the above request.

Dated: November 23, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**PUC DOCKET NO. 46069**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record November 23, 2016, in accordance with 16 TAC § 22.74.



Michael Crnich