

Control Number: 46089



Item Number: 22

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APPLICATION OF QUADVEST, L.P. §  
TO AMEND A CERTIFICATE OF §  
CONVENIENCE AND NECESSITY AND §  
TO DECERTIFY A PORTION OF TRI- §  
COUNTY POINT PROPERTY OWNERS §  
ASSOCIATION'S SERVICE AREA IN §  
JACKSON COUNTY §

2017 JAN -5 AM 11:24  
PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF TEXAS

**JOINT MOTION TO ADMIT EVIDENCE  
AND PROPOSED NOTICE OF APPROVAL**

Quadvest, L.P. (Quadvest) and the Commission Staff (Staff) of the Public Utility Commission of Texas Staff (Commission) jointly this Motion to Admit Evidence and Proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs, in compliance with Order No. 5. This joint pleading is timely filed on or before January 5, 2017.

**I. Motion to Admit Evidence**

Quadvest and Staff (together, the Parties) jointly request that the following evidence be admitted into the record of this proceeding:

- a. Application of Quadvest to amend water Certificate of Convenience and Necessity (CCN) No. 11612, filed June 21, 2016;
- b. Quadvest's confidential filing containing financial information, filed on June 21, 2016;
- c. Quadvest's proof of notice, filed on September 19, 2016;
- d. Quadvest's copy of published notice, filed on October 4, 2016;
- e. Quadvest's confidential Response to Staff's First Request for Information (RFI), filed on September 26, 2016;
- f. Quadvest's Response to Staff's Second RFI, filed on November 8, 2016;
- g. Quadvest's Consent Form, filed on November 22, 2016.
- h. Staff's Recommendation on Final Disposition and supporting documentation, filed December 14, 2016.

## **II. Proposed Notice of Approval**

The Proposed Notice of Approval, included herein as Attachment A, would approve Quadvest's application to amend its water Certificate of Convenience and Necessity (CCN) No. 11612 in Jackson County, which was filed pursuant to Tex. Water Code §§ 13.241-.250 and 16 Tex. Admin. Code §§ 24.101-.107. This docket was processed in accordance with applicable statutes and Commission rules. Notice of the application was provided to interested parties. Quadvest and Staff are the only parties to this proceeding. No other party filed a request to intervene, filed comments on the application, protested this filing, or requested a hearing in this proceeding. The Parties have reviewed and agreed to the Proposed Notice of Approval.

## **III. Conclusion**

Staff has reviewed the application and recommends approval. The requirements for informal disposition have been met. Therefore, the Parties respectfully request that the Commission grant the admittance of the specified evidence and adopt the attached findings of fact, conclusions of law, and ordering paragraphs.

DATED: January 5, 2017

Respectfully submitted,

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

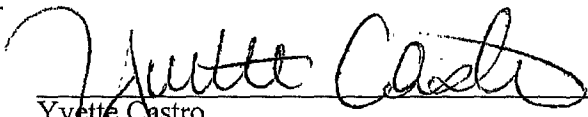
Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



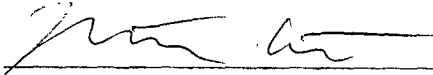
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**P.U.C. DOCKET NO. 46089  
CERTIFICATE OF SERVICE**

I, Matthew Arth, staff attorney for the Public Utility Commission of Texas, certify that a copy of this document was served on all parties of record in this proceeding on January 5, 2017 in accordance with the requirements of 16 Tex. Admin. Code § 22.74.

  
Matthew A. Arth

# **Attachment A**

**Proposed Notice of Approval**

**P.U.C. DOCKET NO. 46089**

<b>APPLICATION OF QUADVEST, L.P. TO</b>	<b>§</b>	
<b>AMEND A CERTIFICATE OF</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>CONVENIENCE AND NECESSITY AND</b>	<b>§</b>	
<b>TO DECERTIFY A PORTION OF TRI-</b>	<b>§</b>	
<b>COUNTY POINT PROPERTY OWNERS</b>	<b>§</b>	<b>OF TEXAS</b>
<b>ASSOCIATION'S SERVICE AREA IN</b>	<b>§</b>	
<b>JACKSON COUNTY</b>	<b>§</b>	

**PROPOSED NOTICE OF APPROVAL**

This Notice of Approval addresses the application of Quadvest, L.P. (Quadvest) to amend its water Certificate of Convenience and Necessity (CCN) No. 11612 in Jackson County, Texas pursuant to Tex. Water Code §§ 13.241-13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101-24.107 (TAC). On December 14, 2016, Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) recommended that the application be approved. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

**I. Findings of Fact**

**Procedural History**

1. On June 21, 2016, Quadvest filed with the Commission an application to amend its water CCN No. 11612 in Jackson County, Texas.
2. On June 24, 2016, Order No. 1 was issued, requiring comments on administrative completeness of application and notice and a proposed procedural schedule.
3. On July 29, 2016, Order No.2 was issued deeming the application administratively complete, addressing notice, and establishing a procedural schedule.
4. On September 19, 2016, Quadvest filed proof of notice.
5. On September 16, 2016, Order No. 3 was issued deeming Quadvest's notice deficient.
6. On October 4, 2016, Quadvest filed a copy of the published notice.
7. On October 4, 2016, Order No. 4 was issued finding that notice remained deficient.
8. On October 18, 2016, Order No. 5 was issued deeming Quadvest's notice sufficient and establishing a further procedural schedule.

9. On November 8, 2016, Quadvest filed a response to Staff's Second Request for Information that included an approval letter from the Texas Commission on Environmental Quality (TCEQ)
10. On November 22, 2016, Quadvest filed signed consent to the final map, certificate, and tariff revisions sent by Staff on November 16, 2016.
11. On December 14, 2016, Commission Staff filed its Recommendation on Final Disposition, recommending approval of the application.
12. On January 5, 2017, Staff and Quadvest filed a joint motion to admit evidence and proposed notice of approval.
13. On \_\_\_\_\_, 2017, the Commission granted the Joint Motion to Admit Evidence. The following evidence was admitted:
  - a. Application of Quadvest to amend water CCN No. 11612, filed June 21, 2016;
  - b. Quadvest's confidential filing containing financial information, filed on June 21, 2016;
  - c. Quadvest's proof of notice, filed on September 19, 2016;
  - d. Quadvest's copy of published notice, filed on October 4, 2016;
  - e. Quadvest's confidential Response to Staff's First RFI, filed on September 26, 2016;
  - f. Quadvest's Response to Staff's Second RFI, filed on November 8, 2016;
  - g. Quadvest's Consent Form, filed on November 22, 2016.
  - h. Staff's Recommendation on Final Disposition and supporting documentation, filed December 14, 2016.

#### **Informal Disposition**

14. More than 15 days have passed since completion of notice in this docket.
15. The Commission received no protests, motions to intervene, or requests for hearing.
16. Staff and Quadvest are the only parties to the proceeding.
17. No issues of fact or law remain disputed by any party; therefore, no hearing is necessary.
18. The certificate, map, and tariff revisions, as admitted, are approved.

## **II. Conclusions of Law**

1. The Commission has jurisdiction over Quadvest's application pursuant to Tex. Water Code §§ 13.041, 13.241-13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101-24.107 (TAC).
2. Quadvest is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(41).

3. Quadvest provided notice in compliance with the requirements of TWC § 13.246 and 16 TAC § 24.106.
4. The application was processed in accordance with the requirements of the Texas Administrative Procedures Act, Tex. Gov't Code §§ 2001.001-2001.902, TWC § 13.241-13.250 and 16 TAC §§ 24.101 and 24.107.
5. After considering the factors in TWC § 13.246(c), Quadvest has demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area and its current service area.
6. The application, as amended, meets the requirements set forth in TWC §§ 13.241-13.250 and 16 TAC §§ 24.101-24.107.
7. Approval of the amendments requested in this application are necessary for the service, accommodation, convenience, and safety of the public as required by TWC § 13.246(b) and 16 TAC § 24.102(c).
8. Pursuant to TWC § 13.257(r), Quadvest is required to record a certified copy of the approved CCN's and maps, along with a boundary description of the service area, in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
9. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

### **III. Ordering Paragraphs**

In accordance with these findings of facts and conclusions of law, the Commission issues the following Order:

1. Quadvest's application, as amended, is approved.
2. Quadvest's water CCN No. 11612 is amended as requested in its amended application and in accordance with this Notice of Approval and the attached map and certificate.
3. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.



**SIGNED AT AUSTIN, TEXAS, the \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

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**Administrative Law Judge**