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APPLICATION OF SHORE-TECH; §
INC. DBA L&M WATER §
DEVELOPMENT COMPANY FOR A §
RATE/TARIFF CHANGE §

PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**ORDER NO. 5
FINDING APPLICATION ADMINISTRATIVELY COMPLETE;
FINDING NOTICE SUFFICIENT, SUSPENDING EFFECTIVE DATE AND
ADOPTING A PROCEDURAL SCHEDULE**

This Order addresses Commission Staff's December 8, 2016 recommendations in this application. Commission Staff recommended that this application should be deemed administratively complete and that the notice of this application provided by Shore-Tech Inc. d/b/a L&M Water Development Company should be deemed sufficient. Commission Staff recommended that the effective date of the proposed rate increase be suspended until the earliest of September 23, 2017 or the date an order setting interim or final rates is issued in this proceeding. Commission Staff proposed a procedural schedule for continued processing of this application.

Consistent with Commission Staff's recommendation, the amended application is deemed administratively complete and the notice provided by Shore-Tech is deemed sufficient. Additionally, Shore-Tech's rate/tariff increase is suspended from the proposed effective date of January 1, 2017 until the earliest of September 25, 2017¹ or the date an order setting interim or final rates in this proceeding. Finally, the following procedural schedule is adopted:

¹ Under Tex. Admin. Code Ann. § 24.26(a)(2), the Commission may suspend the effective date of a rate change for not more than 265 days from the date the proposed rates would otherwise be effective for an application filed pursuant to Tex. Water Code § 13.1871. Here, the 265th day after the proposed January 1, 2017 effective date is Saturday, September 23, 2017; a day the Commission is not open for business. Therefore, under Tex. Gov't Code Ann. § 311.014(b) and in accordance with 16 TAC § 22.4, the period shall conclude on the first day after the deadline that the Commission is open for business.

<u>Event</u>	<u>Date</u>
Proposed effective date of rate change	January 1, 2017
Deadline for affected municipality to file a complaint and deadline for customer protests ²	April 3, 2017
Deadline for Staff to request a hearing or file a recommendation on final disposition	April 17, 2017
Deadline for Applicant to respond to Staff recommendation or if no disputed issues exist, deadline for parties to file proposed findings of fact, conclusions of law, and ordering paragraphs	April 24, 2017
120 th day after the effective date ³	May 1, 2017

SIGNED AT AUSTIN, TEXAS the 14th day of December 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE

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² Under 16 Tex. Admin. Code Ann. § 24.28(c) (TAC), if during the first 90 days after the effective date of the rate change; the Commission receives a complaint from any affected municipality, or from the lesser of 1,000 or 10% of the ratepayers of the utility over whose rates the Commission has original jurisdiction, or on its own motion, the Commission shall set the matter for hearing. Ninety days after the proposed effective date of the rate change is Saturday, April 1, 2017, a day the Commission is not open for business. However, under Tex. Gov't Code Ann. § 311.014(b) and in accordance with 16 TAC § 22.4, the period shall conclude on the first day after the deadline that the Commission is open for business.

³ Under 16 TAC § 24.28(c), if sufficient customer complaints are not received or if Staff does not request a hearing within 120-days after the proposed effective date, the utility's proposed tariff will be reviewed for compliance with the Texas Water Code and the Commission's substantive rules. The 120-day period ends on Monday, May 1, 2017.