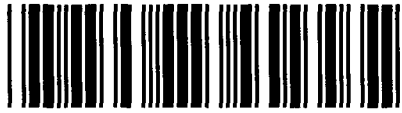




Control Number' 46187



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Addendum StartPage 0

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DANNY CHAPMAN'S APPEAL OF THE COST OF OBTAINING SERVICE FROM SEABOARD WATER SUPPLY CORPORATION IN SAN PATRICIO COUNTY	§ § § § §	2016 AUG 17 AM 10:57 PUBLIC UTILITY COMMISSION OF TEXAS <small>PUBLIC UTILIT COMMISSION CLERK</small>
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COMMISSION STAFF'S ADMINISTRATIVE COMPLETENESS RECOMMENDATION

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this response to Order No. 1, Staff's Administrative Completeness Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On July 20, 2016, Danny Chapman filed a petition with the Public Utility Commission of Texas (Commission) appealing the decision of Seaboard Water Supply Corporation (Seaboard WSC) for the cost of obtaining service. This appeal is governed by Tex. Water Code § 13.043(g) (TWC) and 16 Tex. Admin. Code § 24.41(g) (TAC). Mr. Chapman stated that the cost to obtain service from Seaboard Water Supply Corporation was \$2,598. Mr. Chapman requests a refund in the amount of \$848, which includes both the \$125 inspection fee and the difference of \$723 between the quotes for cost of installation from Mr. Chapman's contractor and Seaboard's contractor.

On July 25, 2016, the Administrative Law Judge (ALJ) issued Order No. 1, requiring Staff to file a recommendation on the administrative completeness of Mr. Chapman's petition by August 17, 2016. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS RECOMMENDATION

Pursuant to TWC § 13.043(g) and 16 TAC § 24.21(g), an applicant for service from a water supply corporation may appeal to the Commission a decision of the water supply corporation affecting the amount to be paid to obtain service other than regular membership or tap fees. These provisions require that the appeal must be initiated within 90 days of the date written notice was provided by the water supply corporation to the applicant of the decision relating to the applicant's request for service.

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Mr. Chapman filed this petition using the Commission form for the 'Appeal of the Cost of Obtaining Service from a Water Supply Corporation. Notice is not required for this petition. While the parties may need to develop additional facts in this proceeding, Staff has reviewed the materials submitted and recommends that the petition be declared administratively complete for further processing on the merits pursuant to 16 TAC § 24.8.

III. PROCEDURAL PROCESS

Pursuant to the requirements of TWC § 13.043(g) and 16 TAC § 24.21(g), Staff will evaluate whether the amount that Mr. Chapman paid to obtain service from Seaboard WSC was 'consistent with the tariff of the water supply or sewer service corporation and is reasonably related to the cost of installing on-site and off-site facilities to provide service.'¹ To conduct its evaluation and develop the facts in this proceeding, Staff proposes the following procedural schedule:

Event	Date
Deadline for Staff to issue its final recommendation on the petition or to request a hearing	October 26, 2016
Deadline for parties to respond to Staff's recommendation and/or to request a hearing, or if no hearing is requested, then the deadline to file a proposed order	November 9, 2016

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends that the application be deemed administratively complete and that the above proposed procedural schedule be adopted.

¹ Tex. Water Code § 13.043(g).

Dated: August 17, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney



Matthew A. Arth
State Bar No. 24090806
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7021
(512) 936-7268 (facsimile)
Matthew.Arth@puc.texas.gov

**DOCKET NO. 46187
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 August 17, 2016 in the following manner: via mail to Mr. Chapman and via facsimile to counsel for Seaboard WSC.



Matthew A. Arth