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DOCKET NO. 46215

**PETITION OF THE COMMONS
WATER SUPPLY, INC. TO
DECERTIFY AREA FROM ITS
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN HARRIS
COUNTY**

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PUBLIC UTILITY COMMISSION

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**ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS
AND NOTICE, REQUESTING PROCEDURAL SCHEDULE,
AND ADDRESSING OTHER PROCEDURAL MATTERS**

I. Petition

On July 26, 2016, The Commons Water Supply, Inc. filed a petition to decertify area from its water certificate of convenience (CCN) No. 12781 in Harris County. Pursuant to a 2009 agreement between the City of Houston and Harris County Municipal Utility District No. 415 (Harris County MUD), Houston consented to the creation of Harris County MUD in order to provide, among other things, water distribution facilities to serve a development within Houston. Harris County MUD's boundaries and the development within partially overlap The Commons' certificated service area, which The Commons agreed to release upon notice from Houston, including the necessary documents to decertify its certificated area within Harris County MUD's boundaries.

**II. Requiring Comments on the Administrative
Completeness of Petition and Proposed Notice**

On or before **August 25, 2016**, Commission Staff shall file comments on the administrative completeness of the petition and proposed notice.¹ By **August 25, 2016**, The Commons and Commission Staff shall file comments/recommendation regarding how this petition should be processed and propose a procedural schedule. Notice of this petition will be published in the August 5, 2016, issue of the *Texas Register*.

¹ 16 Tex. Admin. Code § 24.8(a) (TAC).

III. Discovery

Discovery may proceed informally; however, objections to Requests for Information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections shall include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five working days of receipt of an objection. The motion to compel shall specify the grounds for the motion.

IV. Filings

Unless otherwise specified, an original and 10 copies of documents relating to this proceeding must be filed with the Commission filing clerk according to 16 TAC § 22.71. A copy of each document filed with the Commission must also be served on all parties as provided in 16 TAC § 22.74. All filings can be accessed on the PUC Interchange, <http://interchange.puc.texas.gov>.

All parties shall provide their current addresses, telephone and facsimile numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party shall provide the Commission and all parties with updated address, telephone, and facsimile information if such information changes. The telephone and facsimile numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

V. Ex Parte Communications

Pursuant to 16 TAC § 22.3(b)(2) *ex parte* communications with the administrative law judges and presiding officer (collectively, ALJs) are prohibited. Parties shall communicate with the ALJs only through written documents filed with the Commission's Filing Clerk and served on all parties. Questions concerning this order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

SIGNED AT AUSTIN, TEXAS the 28th day of July 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE

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