

Control Number: 46432



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APPLICATION OF NI AMERICA §
TEXAS, LLC FOR MINOR TARIFF §
CHANGES §

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PUBLIC UTILITY COMMISSION
OF TEXAS
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COMMISSION STAFF'S RECOMMENDATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation. In support thereof, Staff would show the following:

I. Background

On October 10, 2016, Ni-America Texas, L.L.C. filed an application for approval of minor tariff changes. Monarch Utilities, Inc., a subsidiary of SouthWest Water Company, acquired Ni America through a stock purchase in early 2016. Ni America proposes a revision to the cover page to reflect current contact information and to replace the customer service application with the standard application used by all of SouthWest's affiliated Texas utilities.

On October 18, 2016, a Notice Setting Deadline for Staff's Recommendation was issued requiring Staff to file comments or a recommendation regarding this application and a procedural schedule for processing, if necessary, by October 31, 2016. Accordingly, this pleading is timely filed.

II. Staff's Recommendation

Staff has reviewed the application and, as supported by the attached memorandum from Debi Loockerman, Financial Manager with the Water Utility Regulation Division, Staff recommends adoption of the change in contact information on the cover page of the tariff. However, the customer service application (Appendix B of the tariff) includes a \$45 transfer fee which is not in compliance with Ni America's current charge of \$30. Changes to the transfer fee are not allowed by 16 Tex. Admin. Code §24.11(b)(2) (TAC), therefore, Staff recommends that the applicant be ordered to file a new customer service application with the previously approved

transfer fee of \$30 rather than \$45. Once the corrected customer service agreement has been filed, Staff recommends that the request for minor tariff changes be adopted by the Commission.

III. Conclusion

Staff respectfully requests that an order be issued consistent with this Recommendation.

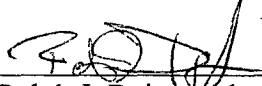
Dated: October 31, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

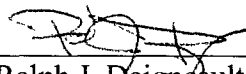


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DOCKET NO. 46432

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 31, 2016, in accordance with 16 TAC § 22.74.



Ralph J. Daigneault

PUC Interoffice Memorandum

To: Ralph Daigneault
Legal Division

Thru: Tammy Benter, Director
Water Utilities Division

From: Debi Loockerman, Financial Manager
Water Utilities Division

Date: October 31, 2016

Subject: **Docket No. 46432**, *Application of Ni America Texas, L.L.C. for Minor Tariff Changes*

On October 10, 2016, Ni America Texas, L.L.C. filed with the Public Utility Commission of Texas (Commission) an application for minor changes to its tariff including a proposed revision to the cover page to reflect current contact information and a replacement of the customer service application with the standard application used by all of SouthWest's affiliated Texas Utilities. Staff files these comments in response to Commission Advising and Docket Control Notice Setting Deadline for Staff's recommendation.

Staff recommends adoption of the change in contact information on the cover page of the tariff. However, the customer service application (Appendix B of the tariff) includes a \$45 transfer fee which is not in compliance with Ni America's current charge of \$30. Changes to the transfer fee are not allowed by 16 Tex. Admin. Code §24.11(b)(2), therefore, Staff recommends that the applicant be ordered to file a new customer service application with the previously approved transfer fee of \$30 rather than \$45. Once the corrected customer service agreement has been filed, Staff recommends that the request for minor tariff changes be adopted by the Commission.