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SOAH DOCKET NO. 473-17-2372.WS
P.U.C. DOCKET NO. 46438

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APPLICATION OF J&S WATER §
COMPANY, LLC FOR A RATE/TARIFF §
CHANGE §

PUBLIC UTILITY
COMMISSION OF TEXAS

PUBLIC UTILITY COMMISSION
CLERK

COMMISSION STAFF'S RESPONSE TO SOAH ORDER NO. 1

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files its Response to SOAH Order No. 1. In support of its Response to SOAH Order No. 1, Staff states the following:

I. Background

J&S Water Company, LLC (J&S Water) serves less than ten thousand (10,000) connections and thus is a Class B utility under the Texas Water Code.¹ On November 23, 2017, J&S Water initiated this proceeding for Commission approval of a proposed increase in its water rates and sewer rates.

On January 23, 2017, the Administrative Law Judge issued Order No. 3, which deemed J&S Water's application administratively complete, revised the effective date to April 1, 2017, and suspended the effective date for no more than 265 days. This proceeding was subsequently referred to the State Office of Administrative Hearings (SOAH).

On February 3, 2017, SOAH issued SOAH Order No. 1, which, among other things, required Staff to state by February 10, 2017 whether at least 10% of J&S Water's ratepayers have protested the proposed increase in rates. J&S Water filed additional information and revised notice with the Commission. Staff's Response to SOAH Order No. 1 is timely filed.

II. Response

Staff has reviewed the docket of this proceeding and 139 ratepayers have protested J&S Water's proposed rate increases. This number is greater than 64; the number listed on J&S Water's notice as being 10% of J&S Water's ratepayers over whose rates the Commission has original jurisdiction. Thus, the Texas Water Code requires that the Commission have a hearing on J&S

¹ See Tex. Water Code § 13.002(4-b).

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Water's proposed rate increases.²

III. Conclusion

At least 10% of J&S Water's ratepayers have protested the proposed increase in rates.

Date: February 10, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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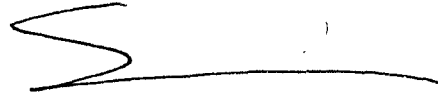
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² See Tex. Water Code § 13.1871(i) ("If, before the 91st day after the effective date of the rate change, the regulatory authority receives a complaint from any affected municipality, or from the lesser of 1,000 or 10 percent of the ratepayers of the utility over whose rates the regulatory authority has original jurisdiction, the regulatory authority shall set the matter for hearing.").

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on February 10, 2017, in accordance with 16 TAC § 22.74.



Sam Chang