

Control Number: 46743



Item Number: 13

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APPLICATION OF T & W WATER
SERVICE COMPANY TO AMEND A
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN LIBERTY COUNTY

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PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

COMMISSION STAFF'S RESPONSE TO ORDER NO. 3, RECOMMENDATION ON NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Response to Order No. 3, Recommendation on Notice. In support thereof, Staff shows the following:

I. BACKGROUND

On January 9, 2017, T&W Water Service Company filed an application to amend its water certificate of convenience and necessity (CCN) No. 12892 in Liberty County, Texas. The total new service area being requested includes approximately 1,365 acres and 0 current customers.

Order No. 3, issued April 24, 2017, directed T&W Water Service Company to file signed affidavits of notice and copies of notice given by June 5, 2017. T&W Water Service Company timely filed the required notice documents. Order No. 3 also directed Staff to file a recommendation on notice by June 15, 2017. Therefore, this pleading is timely filed.

II. STAFF'S RECOMMENDATION ON NOTICE

Staff has reviewed T&W Water Service Company's application and, as supported by the attached memorandum of Debbie Reyes-Tamayo of the Water Utilities Division, Staff recommends that notice is sufficient. T&W Water Service Company provided notice to current customers, neighboring systems, and cities on April 20, 2017, in accordance with 16 TAC § 24.112(c). T&W Water Service Company also published notice in *The Vindicator*, circulated in Liberty County, on April 27 and May 4, 2017, in accordance with 16 TAC § 24.112(c).

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	May 4, 2017
Deadline for intervention	June 5, 2017 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	July 31, 2017
Deadline for Applicant to file signed consent forms with the Commission	August 14, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	August 21, 2017
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	August 28, 2017

IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendations.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on April 20, 2017, and published on April 27, 2017 and May 4, 2017. Therefore, 30 days after May 4, 2017 is June 3, 2017. June 3, 2017 is a Saturday, a day the Commission is not open for business, therefore pursuant to 16 TAC § 22.4(a), the intervention deadline is Monday, June 5, 2017.

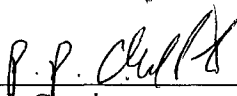
Dated: June 15, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

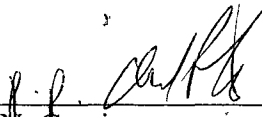
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**DOCKET NO. 46743
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record June 15, 2017,
in accordance with 16 TAC § 22.74.



Erika N. Garcia

PUC Interoffice Memorandum

To: Erika Garcia, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Manager
Water Utilities Division

From: Debbie Reyes Tamayo, Program Specialist
Water Utilities Division

Date: June 13, 2017

Re: * **Docket No. 46743:** *Application of T & W Water Service Company to Amend a Water Certificate of Convenience and Necessity in Liberty County*

On January 9, 2017, T & W Water Service Company (Applicant) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12892 in Liberty County. The application is being reviewed pursuant to Tex. Water Code §§ 13.242-13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101-24.107 (TAC). The Applicant proposes to serve the Encino Estates Subdivision which includes approximately 1,365 acres and 0 current customers.

The application was accepted for filing on April 24, 2017. Proper notice was provided on April 20, 2017, to current customers, neighboring systems, and cities in accordance with 16 TAC § 24.112(c). Notice was published in The Vindicator circulated in Liberty County, on April 27, and May 4, 2017, in accordance with 16 TAC § 24.112(c). The affidavit of notice was filed on June 5, 2017. The intervention deadline was June 5, 2017.¹ No protests, requests for hearing, or opt-outs were received. Staff has reviewed the notice documents and finds them sufficient.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on April 20, 2017, and published on April 27, 2017 and May 4, 2017. Therefore, 30 days after May 4, 2017 is June 3, 2017. June 3, 2017 is a Saturday, a day the Commission is not open for business, therefore pursuant to 16 TAC § 22.4(a), the intervention deadline is Monday, June 5, 2017.