

Control Number: 46923



Item Number: 81

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APPLICATION OF WOLFE AIR PARK §
 CIVIC CLUB, INC. TO OBTAIN A §
 WATER CERTIFICATE OF §
 CONVENIENCE AND NECESSITY IN §
 BRAZORIA COUNTY §

PUBLIC UTILITY COMMISSION

OF TEXAS

PUBLIC UTILITY COMMISSION
FILING CLERK

ORDER REMANDING PROCEEDING TO DOCKET MANAGEMENT

Wolfe Air Park Civic Club, Inc. filed an application to obtain a water certificate of convenience and necessity (CCN) on March 6, 2017. On November 5, 2018, the State Office of Administrative Hearings administrative law judges filed a proposal for decision in which they recommended that the Commission grant Wolfe Air Park's application.

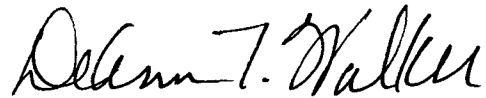
The Commission finds that it should not adopt the proposal for decision at this time because Wolfe Air Park has not filed a completed application for a water CCN. Under Texas Administrative Code § 24.25(b)(1)(A)(i), all applicants for a water CCN must file a proposed tariff with the Commission. The rule provides that "the tariff shall contain schedules of all the utility's rates, tolls, charges, rules, and regulations pertaining to all of its utility service(s) when it applies for a CCN to operate as a utility." The rule further states that "[t]he tariff must be on the form prescribed by the commission or another form acceptable to the commission."

Wolfe Air Park did not include a proposed tariff in either the original application or any supplemental information in support of the application. While Wolfe Air Park did indicate in the supplemental information the rates it proposed to charge its customers, it did not do so in the tariff form prescribed by the Commission.

The Commission finds that it is appropriate to remand the application to the Commission administrative law judge to enable Wolfe Air Park to file a proposed tariff in the form prescribed by the Commission. If the proposed tariff is filed, then the Commission can again consider the proposal for decision. Accordingly, the Commission remands this docket back to Docket Management for continued processing, as discussed in this Order.

Signed at Austin, Texas the 20th day of December 2018.

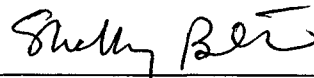
PUBLIC UTILITY COMMISSION OF TEXAS



DEANN T. WALKER, CHAIRMAN



ARTHUR C. D'ANDREA, COMMISSIONER



SHELLY BOTKIN, COMMISSIONER

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