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DOCKET NO. 46923

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APPLICATION OF WOLFE AIR PARK	§	PUBLIC UTILITY COMMISSION
CIVIC CLUB, INC. TO OBTAIN A	§	FILING CLERK
WATER CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
BRAZORIA COUNTY	§	

ORDER NO. 6
FINDING THIS MATTER READY FOR RECONSIDERATION BY THE
COMMISSION

On November 5, 2018, the presiding administrative law judge (ALJ) from the State Office of Administrative Hearings (SOAH) issued the Proposal for Decision (PFD) in this matter. In the PFD, the ALJ recommends that Wolfe Air Park Civic Club, Inc.'s application for a water certificate of convenience and necessity (CCN) be granted.

The PFD was considered by the Commission at its December 20, 2018 meeting. At that time, the Commission issued an Order Remanding Proceeding to Docket Management (the Remand Order) in which the Commission found that the CCN sought by Wolfe Air Park could not yet be issued because the applicant had not filed a complete application. Specifically, the Commission found that Wolfe Air Park had failed to include a proposed tariff as part of its application, as required by 16 Texas Administrative Code (TAC) § 24.25(b)(1)(A)(i).

The Commission remanded this case to the Commission's ALJ to enable Wolfe Air Park to correct the deficiency. In response to the Remand Order, Wolfe Air Park filed a proposed tariff on January 29, 2019. Commission Staff reviewed the proposed tariff and found it to have several errors. Accordingly, Commission Staff filed its own proposed tariff on April 4, 2019. By a joint response dated April 11, 2019, the parties state that they both support the proposed tariff filed by Commission Staff and believe that the case is ready for a return to the Commission for its consideration of the PFD.



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The ALJ agrees that the requirements of the Remand Order have now been complied with and finds that this matter should be returned to the Commission for its consideration of the PFD.

Signed at Austin, Texas the 12th day of April, 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
ADMINISTRATIVE LAW JUDGE

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