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DOCKET NO. 47161

APPLICATION KERR COUNTY WATER §  
SYSTEMS, LLC FOR AUTHORITY TO §  
CHANGE RATES §

PUBLIC UTILITY COMMISSION  
OF TEXAS

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COMMISSION STAFF'S COMMENTS

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files these Comments in Response to Order No. 1. In support thereof, Staff shows the following:

I. BACKGROUND

On July 3, 2016, Kerr County Water Systems, LLC (KCWS) filed an application for a water rate/tariff change with an effective date of August 1, 2017. On July 1, 2017, KCWS mailed notice to customers. KCWS currently has approximately 78 connections. Order No. 1, filed on July 10, 2017 gave Staff a deadline of August 3, 2017 to file comments regarding how this application should be processed and propose a procedural schedule. This pleading is therefore timely filed.

II. COMMENTS

Staff has reviewed the application and recommends it be found sufficient, as supported by the attached memorandum of Jonathan Ramirez. Staff and KCWS have also agreed that KCWS's effective date should be changed from August 1, 2017 to August 6, 2017. In order to change rates, a utility filing for a rate change under Tex. Water Code § 13.1871 must file the appropriate notice at least 35 days before the effective date.<sup>1</sup> In this case, notice was provided by mail on July 1, 2017,<sup>2</sup> listing an effective date of August 1, 2017.<sup>3</sup> An August 6, 2017 effective date rectifies this issue.

III. PROCEDURAL SCHEDULE

Staff recommends that the effective date of this application be adjusted as stated above and the below procedural schedule be adopted:

<sup>1</sup> 16 Tex. Admin. Code 24.22(d)(1).

<sup>2</sup> Application at 51.

<sup>3</sup> *Id.* At 52.

<b>Event</b>	<b>Date</b>
Effective Date	August 6, 2017
90 day deadline to reach 10% ratepayer protest threshold to set matter for hearing	November 6, 2017
Deadline for Staff to file a final recommendation on the application or refer the application for hearing	November 13, 2017
120 day deadline for the Commission to refer the application for hearing	December 4, 2017

#### IV. CONCLUSION

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

Dated: August 3, 2017

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. 47161  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record August 3, 2017,  
in accordance with 16 Texas Admin. Code § 22.74.



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Alexander Petak

## PUC Interoffice Memorandum

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**To:** Alex Petak, Attorney  
Legal Division

**Thru:** Tammy Benter, Director  
Debi Loockerman, Finance Manager  
Water Utility Regulation Division

**From:** Jonathan Ramirez, Financial Analyst  
Water Utility Regulation Division

**Date:** August 2, 2017

**Subject:** **Docket No. 47161:** *Application of Kerr County Water Systems, LLC for Authority to Change Rates*

On July 7, 2017 Kerr County Water Systems, LLC (Applicant) Certificate of Convenience and Necessity (CCN) No. 13166, filed an application with the Public Utility Commission of Texas (Commission) for a water rate/tariff change in Kerr County. An administrative review of the application and notice has been made pursuant to Texas Water Code §§ 13.13871 (TWC) and 16 Tex. Admin. Code (TAC) §§ 24.21 through 24.26. Staff has completed the review with regard to sufficiency.

The Applicant currently provides retail water utility service with one public water system. This application affects approximately 78 connections. Staff recognized the notice did not meet TAC § 24.22(d)(1) which states a utility must send notice to ratepayers at least 35 days before the effective date of the proposed change.

Based on the review, Staff recommends that the rate/tariff change application be deemed sufficient for filing.