



Control Number: 47176



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APPLICATION OF LIBERTY UTILITIES (WOODMARK) CORP. TO AMEND A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN SMITH COUNTY (BAKER PLANTATION)	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS	RECEIVED AUG 8 PM 2:54 PUBLIC UTILITY COMMISSION FILING CLERK
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**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Sufficiency of Notice. In support thereof, Staff would show the following:

**I. BACKGROUND**

On May 16, 2017, Liberty Utilities (Woodmark) Corp. ("Liberty") filed an application to amend its sewer certificate of convenience and necessity (CCN) No. 20679 in Smith County, Texas. The total service area requested includes approximately 51 acres and 53 current customers.

On August 18, 2017, the Administrative Law Judge (ALJ) issued Order No. 3, requiring Liberty to file proof of notice by October 3, 2017, and directing Staff to file a recommendation on the sufficiency of Liberty's notice by October 10, 2017. This pleading is therefore timely filed.

**II. NOTICE DEFICIENCY RECOMMENDATION**

Liberty has not yet filed proof of notice. Staff therefore recommends that Liberty be required to issue notice consistent with Order No. 3. Staff further recommends that Liberty be required to file proof of notice by November 27, 2017. Consistent with Order No. 3, Staff recommends that the Applicant use the template notice and affidavits attached to Staff's August 31, 2017 recommendation.

### **III. PROCEDURAL SCHEDULE**

In accordance with Staff's notice deficiency recommendation, Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for Applicant to file proof of notice with the Commission	November 27, 2017
Deadline for Staff to file a recommendation on sufficiency of notice	December 4, 2017
Deadline to intervene	30 days after notice is issued

### **IV. CONCLUSION**

Staff respectfully requests that the ALJ issue an order consistent with the above recommendation.

Filed: October 9, 2017

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Stephen Mack  
Managing Attorney  
Legal Division

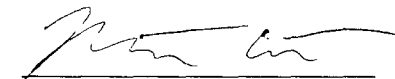


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 9, 2017 in accordance with 16 TAC § 22.74.



Matthew A. Arth