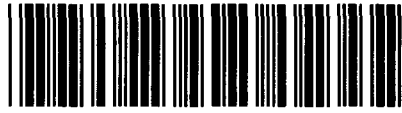




Control Number: 47275



Item Number: 321

Addendum StartPage: 0

RECEIVED

APPLICATION OF THE COMMONS §  
WATER SUPPLY, INC. FOR §  
AUTHORITY TO CHANGE RATES §

PUBLIC UTILITY COMMISSION 9:08  
2017 SEP 11  
OF TEXAS PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF’S SUPPLEMENTAL RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE**

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

**I. BACKGROUND**

On June 30, 2017, The Commons Water Supply, Inc. (the Commons), holder of Certificate of Convenience and Necessity No. 12781, filed an application for a rate/tariff change. On August 7, 2017, the Commons supplemented their application. On August 1, 2017, Order No. 2 was issued requiring Staff to file comments on the administrative completeness of the amended application by September 11, 2017. Therefore, this pleading is timely filed.

**II. RECOMMENDATION ON SUFFICIENCY**

Staff has reviewed the supplemented application, and as detailed in the attached memorandum of Gregory Charles and Andrew Novak of the Commission’s Water Utility Regulation Division, Staff recommends that the application and notice be deemed sufficient for filing and administratively complete. Additionally, Staff recommends that the Commission suspend the proposed effective date.<sup>1</sup>

Staff recommends that the Commission refer this proceeding to the State Office of Administrative Hearings. Pursuant to 16 TAC § 24.28(c)(2), the Commission must set a matter for hearing if it receives “protests from the lesser of 1,000 or 10 percent of the affected ratepayers” during the first 90 days after the effective date of the proposed rate change. To date,

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<sup>1</sup> Pursuant to 16 Tex. Admin. Code § 24.26(a) (TAC), the Commission may suspend the effective date of a rate change after written notice to the utility for not more than 265 days for applications filed under Tex. Water Code § 13.1871.

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over 300 ratepayer protests have been received, exceeding the required number of at least 95 ratepayers out of the 950 connections.<sup>2</sup>

### **III. CONCLUSION**

Staff respectfully requests that the Commission deem the Commons's application administratively complete. Additionally, Staff requests that the Commission refer this proceeding to the State Office of Administrative Hearings.

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<sup>2</sup> Supplement to Application at 4 (Aug. 7, 2017).

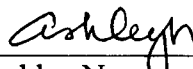
**DATED:** September 11, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

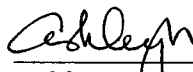
Katherine Lengieza Gross  
Managing Attorney

  
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**DOCKET NO. 47275**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 11<sup>th</sup> of September, 2017, in accordance with. 16 TAC § 22.74.

  
\_\_\_\_\_  
Ashley Nwonuma

## PUC Interoffice Memorandum

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**To:** Ashley Nwonuma, Attorney  
Legal Division

**Thru:** Heidi Graham, Manager  
Debi Loockerman, Manager  
Water Utilities Regulation Division

**From:** Andrew Novak, Financial Analyst  
Greg Charles, Engineering Specialist  
Water Utilities Regulation Division

**Date:** September 11, 2017

**Subject:** **Docket No. 47275**, *Application of The Commons Water Supply, Inc. For Authority to Change Rates*

On June 30, 2017, The Commons Water Supply, Inc. (Applicant) filed an application with the Public Utility Commission of Texas (Commission) for a rate/tariff change affecting Certificate of Convenience and Necessity (CCN) No. 12781. An administrative review of the application and notice has been made pursuant to Texas Water Code §§ 13.1871 (TWC) and 16 Tex. Admin. Code (TAC) §§ 24.21 through 24.26.

After review of the application and supplemental filings, Staff recommends that the application be found sufficient for filing. Staff also recommends that due to the number of protests received in this docket, the effective date of the rate change be suspended.