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DOCKET NO. 47641

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REQUEST FOR NAME CHANGE FROM §
EMCAD WATER AND WASTEWATER, §
LLC TO UNDINE TEXAS §
ENVIRONMENTAL, LLC §

PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**COMMISSION STAFF'S ADMINISTRATIVE COMPLETENESS
RECOMMENDATION**

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this response to Order No. 1, Staff's Administrative Completeness Recommendation. Staff recommends that the application be found administratively complete and that the proposed procedural schedule be adopted. In support thereof, Staff shows the following:

I. BACKGROUND

On September 22, 2017, EMCAD Water and Wastewater, LLC (EMCAD) filed an application for a name change amendment to its sewer Certificate of Convenience and Necessity (CCN). EMCAD would like to change the corporate or assumed name on its three sewer CCNs to Undine Texas Environmental, LLC (Undine). EMCAD included with its application a certificate of filing from the Texas Secretary of State effectuating this name change. On October 16, 2017, EMCAD filed a supplement to its application.

On September 27, 2017, Order No. 1 was issued which required Staff to file a recommendation regarding appropriate processing for this docket by October 17, 2017. Therefore, this pleading is timely filed.

II. APPLICATION SUFFICIENCY RECOMMENDATION

Staff has reviewed EMCAD's application and supplement to the application and recommends that it be processed administratively, similar to that of Docket No. 45932.¹ Staff further recommends that EMCAD's application be found sufficient and therefore administratively complete. EMCAD requests to change the name on its sewer CCN Nos. 21019, 20816, and 20832 from EMCAD to the name under which it prefers to transact business, Undine Texas

¹ Application of Frontier Southwest Incorporated d/b/a Frontier Communications of Texas for an Amendment to a Certificate of Convenience and Necessity, Docket No. 45932 (Aug. 3, 2017).

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Environmental, LLC. Following EMCAD's supplement to its application filed on October 16, 2017, EMCAD has provided the information necessary for Staff to review this application on the merits.

III. NOTICE RECOMMENDATION

Notice in a name change proceeding in the electric and telecommunications contexts is governed by 16 TAC § 22.52(b), however water and sewer utilities are not included under that rule. Accordingly, notice in this proceeding is governed by 16 TAC § 22.55, which states, "the presiding office may require a party to provide reasonable notice to affected persons." In accordance with the Commission's practice in other name change proceedings, Staff recommends that the Commission issue notice in the *Texas Register*.² Staff further recommends that such *Texas Register* notice be found reasonable and that no additional notice be required.

IV. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that the application be processed administratively and that the application be found sufficient, Staff proposes the following procedural schedule:

Event:	Deadline:
Deadline to intervene	November 15, 2017
Deadline for Staff to file a recommendation on final disposition	November 21, 2017
Deadline for EMCAD to respond to Staff's recommendation on final disposition	November 29, 2017

V. CONCLUSION

For the reasons stated above, Staff respectfully recommends that EMCAD's application be found administratively complete, that notice be published by the Commission in the *Texas Register*, and that the above proposed procedural schedule be adopted.

² See e.g., *Application of Frontier Southwest Incorporated d/b/a Frontier Communications of Texas for an Amendment to a Certificate of Convenience and Necessity*, Docket No. 45932 (Aug. 3, 2016).

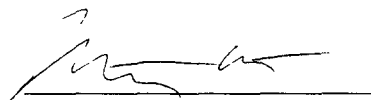
DATE: October 17, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

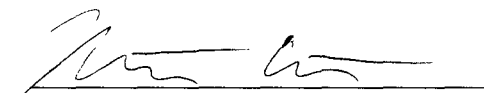


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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record in this proceeding on October 17, 2017 in accordance with the requirements of 16 Tex. Admin. Code § 22.74.


Matthew A. Arth