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APPLICATION OF BOLIVAR UTILITY § BEFORE THE STATE OFFICE OF COMMISSION
SERVICES, LLC TO CHANGE SEWER § OF FILING CLERK
RATES IN GALVESTON COUNTY § ADMINISTRATIVE HEARINGS

**MOTION TO ADMIT EVIDENCE, APPROVE THE PROPOSED ORDER, AND
REMAND PROCEEDING TO THE COMMISSION**

COMES NOW, the Commission Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”) and Bolivar Utility Services, LLC (“Bolivar” or “Applicant”) (collectively, “Movants”) and jointly file this unopposed Motion to Admit Evidence, Approve the Proposed Order, and Remand Proceeding to the Commission (“Motion”), and in support thereof, would respectfully show the following:

I. BACKGROUND

On October 9, 2017, Bolivar filed an application with the Commission requesting authority for sewer and tariff changes in Galveston County, Texas (“Application”). The Application proposed to increase Bolivar’s sewer rates and revise its tariff for Certificate of Convenience and Necessity (“CCN”) No. 21026.¹

On May 7, 2018, the State Office of Administrative Hearings (“SOAH”) Administrative Law Judge (“ALJ”) issued Order No. 4, continuing abatement of the procedural schedule and allowing the Movants to finalize a settlement of the pending matter by June 4, 2018.

On June 1, 2018, Staff filed a second status update, reporting that the parties were continuing to finalize a settlement agreement and requesting the ALJ grant until July 2, 2018, to submit a further status update or finalize the settlement agreement. SOAH Order No. 5, issued on June 4, 2018, ordered that the matter abated until July 2, 2018. Therefore, this pleading is timely filed.

¹ The service area for CCN No. 21026 extends into Chambers County, Texas, however, Bolivar provides service only in Galveston County, Texas.

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II. SUMMARY OF UNOPPOSED STIPULATION AND SETTLEMENT AGREEMENT

The Movants believe that a resolution of this docket consistent with the separately filed Unanimous Stipulation and Settlement Agreement (“Stipulation”) is reasonable and in the public interest. That Stipulation includes a proposed final order with findings of fact, conclusions of law, and ordering paragraphs (“Proposed Order”), included as Exhibit A to the Stipulation. The Movants have reviewed and agreed to the terms included in the Proposed Order.

The Movants agree that Bolivar should be allowed to implement its retail sewer utility rates as detailed in the revised tariff for sewer CCN No. 21026, included as Exhibit B to the Stipulation. The Movants agree that Bolivar’s cost of service exceeds the maximum revenue generated by the stipulated rates. The Movants agree that the approval of the stipulated rates is reasonable and in the public interest.

The effective date of the new sewer rates will be the first day of the month following Commission approval. The Movants agree that these rates are just and reasonable and consistent with the public interest.

The Movants agree that Bolivar will not seek to recover rate case expenses it has or will incur as a result of this matter.

III. MOTION TO ADMIT EVIDENCE

The Movants request that the ALJ admit the following evidence into the administrative record in this docket for the purpose of supporting a Commission Order approving the proposed settlement:

- a. Application of Bolivar Utility Services, LLC for a Class B/Tariff Change, filed October 9, 2017;
- b. Notice of Proposed Rate Change to Bolivar Ratepayers, filed November 2, 2017;
- c. Verification Affidavit of Michael P. Lege as related to Notice of Proposed Rate Change, filed November 2, 2017;
- d. Direct Testimony of Michael P. Lege, filed April 2, 2018 (BUS-1, including exhibits MPL-1 through 3);
- e. Direct Testimony of Charles E. Loy, filed April 2, 2018 (BUS-2, including exhibit CEL-1);

- f. Unopposed Stipulation and Settlement Agreement, filed June 26, 2018 (including Exhibits A and B);
- g. Affidavit of Sean Scaff of the Commission's Water Utilities Division in support of Unopposed Stipulation and Settlement Agreement, filed June 26, 2018.

IV. MOTION FOR REMAND

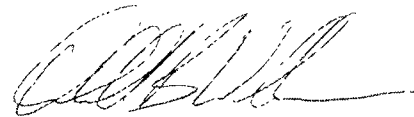
The Movants request the ALJ enter an order remanding this case to the Commission for consideration of the Stipulation and Proposed Order. No party opposes either the Stipulation or this Motion. Remand is appropriate in this matter since the Stipulation effectively disposes of all remaining contested issues, and thus, extinguishes the need for a hearing.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, Bolivar Utility Services, LLC prays that the ALJ issue an Order admitting the aforementioned exhibits into evidence in the administrative record and remand this settlement matter to the Commission.

Respectfully submitted,

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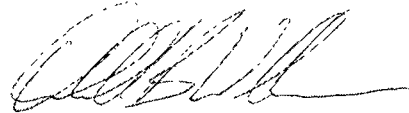


By: _____
Randall B. Wilburn

ATTORNEYS FOR BOLIVAR UTILITY SERVICES, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 26th of June 2018.

A handwritten signature in black ink, appearing to read 'R. Wilburn', written in a cursive style.

Randall B. Wilburn