

Control Number: 47680



Item Number: 76

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RECEIVED

APPLICATION OF BOLIVAR UTILITY SERVICES, LLC FOR AUTHORITY TO CHANGE SEWER RATES

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PUBLIC UTILITY COMMISSION

OF TEXAS

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PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS OF THE APPLICATION AND NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Administrative Completeness and would show the following:

I. BACKGROUND

On October 9, 2017, Bolívar Utility Services, LLC (Bolívar) filed an application for a Class B rate/tariff change pursuant to Tex. Water Code § 13.1781 and 16 Tex. Admin. Code §§ 24.21-.26 (TAC). Specifically, Bolívar requested a change in sewer rates under Certificate of Convenience and Necessity No. 21026 in Galveston County, Texas. The Administrative Law Judge Issued Order No. 1 requiring Staff to file comments on the administrative completeness of the application and notice, and to propose a procedural schedule if appropriate, by November 9, 2017. Therefore, this pleading is timely filed.

II. COMMENTS ON THE APPLICATION AND NOTICE

Staff has reviewed the application and, as detailed in the attached memorandum from Emily Sears and Sean Scuff in the Commission's Water Utility Regulation Division, recommends that it be found administratively incomplete. Staff has also reviewed the revised customer notification and proof of notice submitted by Bolívar on October 27, 2017, and recommends that it be found deficient because it does not include the notice to the Office of Public Utility Counsel required by 16 TAC § 24.22(d)(1)(A). Therefore, Staff recommends that Bolívar be ordered to cure the deficiencies identified in its application and notice by December 14, 2017, and that Staff be given a deadline of January 11, 2018, to file a supplemental recommendation on administrative completeness.

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III. COMMENTS ON PROCEDURAL SCHEDULE

In accordance with its deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for administrative completeness. However, Staff does recommend suspending the December 1, 2017, effective date for Bolivar's proposed rate increase until such time as the application is deemed administratively complete.

IV. CONCLUSION

For the reasons stated above, Staff respectfully requests the entry of an Order consistent with the foregoing recommendations.

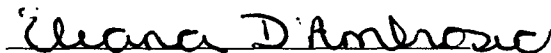
Dated: November 9, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

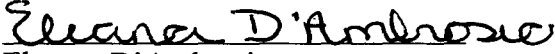
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CERTIFICATE OF SERVICE

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


Eleanor D'Ambrosio

PUC Interoffice Memorandum

To: Eleanor D' Ambrosio, Attorney
Legal Division

Through: Debi Loockerman, Manager
Water Utility Regulation Division

From: Sean Scaff, Engineering Specialist
Emily Sears, Financial Analyst
Water Utility Regulation Division

Date: November 9, 2017

Subject: **Docket No. 47680:** *Application of Bolivar Utility Service, LLC for Authority to Change Sewer Rates*

On October 9, 2017, Bolivar Utility Services, LLC (Bolivar) filed an application with the Public Utility Commission (PUC) for a rate/tariff change under Certificate of Convenience and Necessity (CCN) No. 21026 in Galveston County. On October 27, 2017, Bolivar filed a revised customer notification. An administrative review of the application and revised notice has been made pursuant to Texas Water Code § 13.13871 and 16 Tex. Admin. Code §§ 24.21 through 24.26.

Based on a review of the information in the application, Staff recommends that the application be deemed insufficient for filing and found administratively incomplete due to the deficiencies detailed below.

- The applicant needs to file a completed Schedule II-1 production (Bates page BUS0015) as wastewater charges are based on actual water usage, and this is used for the billing calculations.
- A corrected alternative rate design page (Bates page BUS0090), as the fixed rate being calculated uses an unapproved amount of \$50.00 per month.

Staff also recommends that the rate effective date be suspended until the application is administratively complete.