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PUC DOCKET NO. 47850

COMPLIANCE DOCKET FOR REFUNDS FROM DOCKET NO. 46104 (APPLICATION OF SHORE TECH INC. DBA L&M WATER DEVELOPMENT COMPANY FOR A RATE/TARIFF CHANGE)	§ § § § § § §	<div>RECEIVED AUG 13 AM 11:16</div> <div>PUBLIC UTILITY COMMISSION FILING CLERK</div> <div>OF TEXAS</div>
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COMMISSION STAFF'S 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. 3, Staff's Recommendation. Staff recommends that the Commission finds that Shore Tech has met its obligation to issue refunds. In support thereof, Staff shows the following:

I. BACKGROUND

On August 17, 2017, the Commission issued its final Order in Docket No. 46104 approving an increase in water rates for Shore-Tech, Inc. d/b/a L&M Water Development Company (Shore-Tech).¹ The Commission's final Order in Docket No. 46104 required Shore-Tech to refund by October 16, 2017 the proposed rates incorrectly charged beginning on January 1, 2017.² Furthermore, Shore-Tech was required to make a compliance filing within 30 days of the issuance of the refund that includes an affidavit attesting to the amount of the refunds that were issued.³

Shore-Tech's compliance documentation was filed in this docket, Docket No. 47850 on December 11, 2017. On December 19, 2017, Order No. 1 required Staff to file a recommendation regarding Shore-Tech's filing by February 2, 2018. In that pleading, Staff recommended that it be found that although Shore Tech had refunded a substantial part of the over-collection, Shore Tech had failed to include in its refund calculation the one percent regulatory assessment fee (RAF) paid to the Texas Commission on Environmental Quality (TCEQ). Shore-Tech was accordingly ordered to issue that additional refund in Order No. 2,

¹ *Application of Shore Tech, Inc. dba L&M Water Development Company for a Rate/Tariff Change*, Docket No. 46104 (Aug. 17, 2017).

² *Application of Shore Tech, Inc. dba L&M Water Development Company for a Rate/Tariff Change*, Docket No. 46104 at Ordering Paragraph No. 2 (Aug. 17, 2017).

³ *Id.*

issued on February 16, 2019. Shore-Tech filed additional information on March 20, 2019. In Order No. 3, issued April 1, 2019, Staff was ordered to comment on the sufficiency of the additional refund by April 19, 2019. Therefore, this pleading is timely filed.

II. REFUND RECOMMENDATION

As indicated by the attached memorandum of Fred Bednarski of the Commission's Water Utility Regulation Division, Staff has reviewed Shore-Tech's March 20, 2019 filing. Staff recommends that Shore-Tech be found to have complied with its refund obligations.

III. CONCLUSION

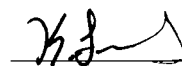
For the reasons stated above, Staff respectfully recommends that Shore-Tech be found to have complied with its refund obligations and that this compliance docket be closed.

Dated: April 18, 2019

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 was served on all parties of record on April 18, 2019, in accordance with the requirements of 16 TAC § 22.74.


Katherine Lengieza Gross

PUC Interoffice Memorandum

To: Katherine Gross, Attorney
Legal Division

Thru: Tammy Benter, Director
Debi Loockerman, Financial Manager
Water Utility Regulation Division

From: Fred Bednarski, Financial Analyst
Water Utility Regulation Division

Date: April 18, 2019

Subject: **Docket No. 47850**; *Compliance Docket for Refunds from Docket No. 46104 (Application of Shore Tech, Inc. dba L&M Water Development Company for a Rate/Tariff Change)*

On February 16, 2018, Order No. 2 required Shore Tech, Inc. dba L&M Water Development Company (Shore Tech) to refund each customer one percent of the amount already refunded and file a notarized affidavit, no later than May 7, 2018, attesting that the additional refunds of the one percent regulatory assessment fee were made.

Staff reviewed Shore Tech's filing made on March 30, 2018, and determined that the additional refund amount due to each customer has been refunded and included a notarized affidavit attesting to the additional refund amounts.¹ Staff notes one of the thirty six bills was not include but deems this as immaterial. Therefore Staff recommends Shore Tech has complied with order No. 2 **Refunds.** paragraph requirements.

¹ Shore Tech's response to Order No. 2 at 2 (3/20/2018).