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DOCKET NO. 47856

RECEIVED

APPLICATION OF KNEE DEEP
WATER SYSTEM TO RELINQUISH
EXEMPT UTILITY REGISTRATION

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PUBLIC UTILITY COMMISSION

2018 JAN 26 AM 10:32
PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY
AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Recommendation on Sufficiency and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On December 13, 2017, Knee Deep Water Company (Knee Deep WC) filed with the Public Utility Commission of Texas (Commission) an application to relinquish its exempt utility registration No. N0051 pursuant to Texas Water Code § 13.242(c) and 16 Tex. Admin. Code § 24.103(e) (TAC). Knee Deep WC stated that due to the effects of Hurricane Harvey, everything serviced by Knee Deep WC has been bought by Harris County and will not be rebuilt. The water well currently does not have electricity nor is expected to in the future.

On January 9, 2018, the Administrative Law Judge (ALJ) ordered Staff to file comments regarding the administrative completeness of the application, and propose a procedural schedule, if necessary, by January 26, 2018. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS AND PROPOSED NOTICE

As detailed in the attached memorandum of Debbie Reyes Tamayo in the Commission's Water Utility Regulation Division, Staff has reviewed the application filed by Knee Deep WC, and recommends that it be found administratively complete. The Commission published notice of the application in the *Texas Register* on January 9, 2018. Staff further recommends that no additional notice is required because there are no customers currently located in the area.

III. PROCEDURAL SCHEDULE

Staff proposes the following Procedural Schedule:

Deadline for Applicant to file its Affidavit to cancel Exempt Utility Registration with the Commission	February 9, 2018
Deadline for Staff to file a final recommendation on the application	February 19, 2018

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IV. CONCLUSION

Staff respectfully recommends that Knee Deep WC's application be deemed sufficient for further review and requests that the procedural schedule proposed above be adopted.

Dated: January 26, 2018

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 January 26, 2018 in accordance with 16 TAC § 22.74.



Joshua Adam Barron

PUC Interoffice Memorandum

To: Joshua Barron, Attorney
Legal Division

From: Debbie Reyes Tamayo, Program Specialist
Water Utility Regulation Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

Date: January 10, 2018

Subject: Docket No. 47856, *Application of Knee Deep Water Company to Relinquish Exempt Utility Registration*

On December 13, 2017, Knee Deep Water Company (Applicant or Knee Deep), filed an application to Relinquish exempt utility registration N0051 pursuant 16 Tex. Admin Code § 24.103(e) (TAC) for a utility with less than 15 potential connections. Specifically, the applicant states everything was wiped out by Hurricane Harvey.

Staff has reviewed the information and recommends the application be deemed sufficient for filing and administratively complete. Notice is not required for the exempt utility registration process.

Based on the above information, Staff recommends the Commission issue the affidavit to the Applicant.

PUBLIC UTILITY COMMISSION



AFFIDAVIT
DOCKET NO. 47856

STATE OF TEXAS
COUNTY OF _____

My name is _____. I am the Owner of Knee Deep Water Company. I swear or affirm that I have personal knowledge of the facts stated in this request to cancel Exempt Utility Registration No. N0051, and that in such capacity, I am competent to testify to those facts, and I have the authority to make this request. I further swear or affirm that all of the statements and representations made in this request are true and correct.

(SIGNATURE)

Subscribed and sworn to before me this _____ day of _____, 20__
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

