



Control Number: 48034



Item Number: 20

Addendum StartPage: 0

APPLICATION OF QUADVEST, L.P. §
TO AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
FORT BEND COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

2018 MAY 1 AM 11:29
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION
ON NOTICE DEFICIENCY**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 3, files this Recommendation on Notice Deficiency. In support thereof, Staff shows the following:

I. BACKGROUND

On February 7, 2018, Quadvest L.P. (Quadvest or Applicant) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 11612 and sewer CCN No. 20952 in Fort Bend County. The total area being requested includes approximately one hundred eight (108) acres and zero (0) current customers.

On April 25, 2018, Order No. 3 was issued, establishing a deadline for Staff to file a recommendation on the sufficiency of Applicant's notice within ten (10) days of Applicant filing proof of completed notice with the Commission. Applicant filed proof of notice on May 25, 2018. Therefore, this pleading is timely filed.

II. NOTICE DEFICIENCY

Staff has reviewed the notice documentation filed by Applicant on May 25, 2018. The Affidavit of Notice to Current Customers, Neighboring Utilities and Affected Parties and accompanying attachment indicate that notice of application was mailed to the entities identified in the attachment on May 5, 2018. In addition, the Publishers Affidavit indicates that notice was published in the Houston Chronicle dba Sugar Land Sun on May 2, 2018.

Order No. 3 required Applicant to provide notice of application as described in Staff's Supplemental Recommendation on Administrative Completeness and Proposed Notice filing submitted on April 23, 2018 (Supplemental Recommendation). Specifically, Applicant was required to publish notice once a week for two consecutive weeks in a newspaper of general

circulation in Fort Bend County. Applicant did publish notice in a newspaper of general circulation on one occasion, but failed to do so for two consecutive weeks.

Pursuant to 16 Texas Administrative Code (TAC) § 24.106(c), an applicant “shall publish the notice in a newspaper having general circulation in the county where the CCN is being requested, once each week for two consecutive weeks beginning with the week after the proposed notice is approved by the commission.” Though the aforementioned rule does require an applicant to publish notice for two consecutive weeks, Staff recommends that Applicant be required to publish notice for one additional week in a newspaper of general circulation. Though the two publication dates will not be in consecutive weeks, Staff recommends that Applicant be granted a good cause exception under 16 TAC § 22.5 based upon its partial completion of the notice requirement.

III. PROCEDURAL SCHEDULE

Staff recommends that Applicant’s notice be found deficient. Therefore, Staff recommends that a deadline of June 29, 2018, be established for Quadvest to supplement its notice. Additionally, Staff recommends that a deadline of July 9, 2018, be established for Staff to review Quadvest’s supplemental information and make a supplemental recommendation on the sufficiency of notice.

V. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that notice be found deficient. Staff further recommends that the procedural schedule proposed above be adopted for further processing of this docket.

Dated: June 1, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney



Richard Nemer
State Bar No. 24042829
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7348
(512) 936-7268 (facsimile)
richard.nemer@puc.texas.gov

DOCKET NO. 48034

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 1, 2018, in accordance with 16 TAC § 22.74.



Richard Nemer