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DOCKET NO. 48034

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

PUBLIC UTILITY COMMISSION

2018 COM 22 APR 17:49
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OF TEXAS
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**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON SUFFICIENCY
OF NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 4, files this Supplemental Recommendation on Sufficiency of Notice and Proposed Procedural Schedule. 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, requiring Applicant to provide notice of application as described in Staff's Supplemental Recommendation on Administrative Completeness and Proposed Notice. Applicant filed proof of notice on May 25, 2018.

On June 1, 2018, Staff filed a Recommendation on Notice Deficiency based on the Applicant failing to provide a publishers affidavit demonstrating that it had published notice once a week for two consecutive weeks in a newspaper of general circulation in Fort Bend County.

On June 11, 2018, Applicant filed a Supplemental Proof of Notice to cure the aforementioned deficiency.

On June 12, 2018, Order No. 4 was issued, establishing a deadline for Staff to file a supplemental recommendation on the sufficiency of Applicant's notice by July 9, 2018. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

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.

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.” Applicant’s supplemental filing on June 11, 2018, includes a revised Publishers Affidavit indicating that notice was published in the Houston Chronicle dba Sugar Land Sun on May 2, 2018, and May 9, 2018.

Further, under 16 TAC § 24.106(c), the “[p]roof of publication in the form of a publisher’s affidavit shall be filed with the commission within 30 days of the last publication date.” Again, based on Applicant’s supplemental filing, the last publication date was May 9, 2018. The supplemental filing was submitted on June 11, 2018, more than 30 days after the last publication date. Though, pursuant to 16 TAC § 24.106(c), the publisher’s affidavit was required to be filed by June 8, 2018, the post-deadline days prior to Applicant’s actual filing were during an intervening weekend. Therefore, under 16 TAC § 22.5, Staff recommends that Applicant be granted a good cause exception to the timing requirement based upon its demonstrated efforts to cure the previously identified deficiency.

Following Applicant’s supplemental proof of notice filing, Staff recommends that its notice of application be deemed sufficient.

III. PROCEDURAL SCHEDULE

In accordance with Staff’s recommendation that Applicant’s notice be found sufficient, Staff proposes the following supplemental procedural schedule:

Event	Date
Notice completed	May 9, 2018
Deadline for intervention	June 8, 2018 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicant for review and consent	August 8, 2018
Deadline for Applicant to file signed consent forms with the Commission	August 21, 2018
If no hearing is requested, deadline for Staff to file a final recommendation on the application	August 28, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	September 4, 2018

V. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that Applicant's notice be found sufficient and that the procedural schedule proposed above be adopted.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is thirty (30) days after the mailing or publication of notice, whichever occurs later. Notice was mailed on May 5, 2018. Notice was published on May 2, 2018 and May 9, 2018. Therefore, thirty (30) days after May 9, 2018 was Friday, June 8, 2018.

Dated: June 22, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

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Managing Attorney

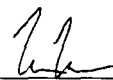


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 22, 2018, in accordance with 16 TAC § 22.74.



Richard Nemer