



Control Number: 48109



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APPLICATION OF R.F. GROUP SAN §
 ANTONIO LLC TO OBTAIN §
 CERTIFICATES OF CONVENIENCE §
 AND NECESSITY IN BEXAR §
 COUNTY §

PUBLIC UTILITY COMMISSION
 OF TEXAS
 PUBLIC UTILITY COMMISSION
 FILING CLERK

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COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 2, files this Supplemental Recommendation on Administrative Completeness. Staff recommends that the application be deemed insufficient and incomplete. In support thereof, Staff shows the following:

I. BACKGROUND

On February 26, 2018, R.F. Group San Antonio LLC (R.F. Group) filed an application to obtain a water and sewer Certificate of Convenience and Necessity (CCN) in Bexar County. The total service area requested includes approximately 6 acres and 0 current customers.

On April 2, 2018, the Commission administrative law judge (ALJ) issued Order No. 2, finding the application deficient and requiring Applicant to file a supplement to cure the deficiencies by April 27, 2018. No such supplement has been filed. Order No. 2 also required Staff to file a supplemental recommendation regarding the administrative completeness of the application by May 29, 2018. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE DEFICIENCY RECOMMENDATION

Because the Applicant failed to cure the deficiencies detailed in the memorandum from Kathryn Eiland in the Commission's Water Utility Regulation Division attached to Staff's March 28, 2018, Administrative Completeness Recommendation, Staff recommends that the application continue to be found administratively incomplete.

III. PROCEDURAL SCHEDULE

Staff recommends that R.F. Group be ordered to cure the deficiencies identified in Ms. Eiland's memorandum by June 15, 2018, and that Staff be given a deadline of July 13, 2018 to file

a supplemental recommendation on the administrative completeness of the application. Staff notes that the Applicant should not issue notice until the application is found administratively complete. Staff reserves the right to file a motion to dismiss the application without prejudice for failure to prosecute under 16 Texas Administrative Code (TAC) § 22.181(d)(6) if R.F. Group fails to file anything by June 15, 2018.

IV. CONCLUSION

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

Dated: May 25, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 25, 2018, in accordance with 16 TAC § 22.74.

Joshua Adam Barron