

Control Number: 48244



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DeAnn T. Walker
Chairman

Arthur C. D'Andrea
Commissioner



Greg Abbott
Governor

John Paul Urban
Executive Director

Public Utility Commission of Texas

2018 MAY 17 PM 12:06

To: Kerry K. Johnston
Johnston Water Utility, LLC
14708 Olin Rd.
Tomball, TX 77377

Commission Staff – Water Utility Regulation Division
Commission Staff – Legal Division

Re: Tariff Control No. 48244 – *Application of Johnston Water Utility, LLC for a Pass-Through Rate Change*

ADDRESSING NOTICE DEFICIENCY AND SETTING DEADLINES

This Notice addresses Commission Staff's recommendation identifying a deficiency in the customer notice issued by Johnston Water Utility, LLC. Commission Staff recommends that Johnston Water reissue notice including the calculations of present fees and a corrected calculation of the new pass-through rate, and file a copy of the notice with the Commission along with an affidavit attesting that notice was completed. In addition, Commission Staff recommends that the Commission allow the applicant to implement an interim rate before sufficient notice is completed.

At a regular board meeting held on December 4, 2017, the North Harris County Regional Water Authority Board of Directors (NHCRWA) adopted an increase to the well pumpage fee and cost of surface water and announced an effective date of April 1, 2018 with the payment due date of June 18, 2018. On February 19, 2018, Johnston Water was served with a reminder of the actions taken by the NHCRWA Board of Directors on December 4, 2017, which included a copy of the updated pricing policy. On April 9, 2018, Johnston Water filed an application for approval of the pass-through and requested an effective date of April 1, 2018. Under 16 Texas Administrative Code § 24.21(b)(2)(C) the Commission may approve a pass-through provision as a minor tariff change if the utility has provided proper notice.



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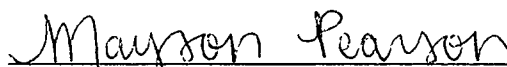
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The administrative law judge finds that Johnston Water's application and current notice are deficient; therefore, the rate will not be approved at this time. No later than June 5, 2018, Johnston Water shall file an amendment to the application curing the deficiency described in Commission Staff's recommendation and issue revised notice curing the deficiencies also listed in Commission Staff's recommendation. On or before June 12, 2018, Johnston Water shall file an affidavit attesting that notice was completed.

Commission Staff shall file a recommendation on sufficiency of the notice and address administrative completeness of the application no later than June 20, 2018.

Signed at Austin, Texas the 17th day of May 2018.

PUBLIC UTILITY COMMISSION OF TEXAS



MAYSON PEARSON

ADMINISTRATIVE LAW JUDGE