



Control Number: 48246



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RECEIVED

APPLICATION OF NERRO SUPPLY §
INVESTORS, LLC TO AMEND A §
WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
IN MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION 2018 JUN 29 AM 9:40
OF TEXAS PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

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 Recommendation on Sufficiency of Notice. In support thereof, Staff shows the following:

I. BACKGROUND

On April 9, 2018, Nerro Supply Investors, LLC (Nerro) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10336 in Montgomery County. The total service area being requested includes approximately fifty five (55) acres and no (0) current customers. On May 1, 2018, Nerro filed a supplement to their application.

On May 9, 2018, the Administrative Law Judge (ALJ) issued Order No. 2 establishing a deadline of June 25, 2018 for Nerro to file signed affidavits that notice was given, along with a copy of the notice sent to affected parties and published in a newspaper of general circulation. Nerro filed such documentation on June 18, 2018. Order No. 2 also required Staff to file a recommendation on the sufficiency of notice 10 days after the filing of Nerro's proof of notice. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

Staff has reviewed Nerro's signed affidavits attesting that notice was given, the copy of the notice that was sent to the parties described in Staff's recommendation on administrative completeness, and the notice that was published in a newspaper of general circulation. Pursuant to this review, Staff recommends that the notice be found sufficient.

III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	June 2, 2018
Deadline for intervention	July 2, 2018 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent if no outstanding issues exist	August 31, 2018
Deadline for Applicant to file signed consent forms with the commission	September 14, 2018
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	September 21, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	September 28, 2018

IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendation.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on May 25, 2018 and published on May 26, 2018 and June 2, 2018. Therefore, 30 days after June 2, 2018 is July 2, 2018.

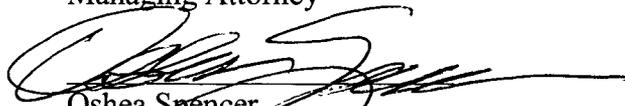
Dated: June 28, 2018

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 June 28, 2018 in accordance with 16 TAC § 22.74.



Oshea Spencer