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RECEIVED

APPLICATION OF STANLEY LAKE §  
 MUNICIPAL UTILITY DISTRICT TO §  
 AMEND CERTIFICATES OF §  
 CONVENIENCE AND NECESSITY §  
 AND TO DECERTIFY PORTIONS OF §  
 SC UTILITIES AND T&W WATER §  
 SERVICE COMPANY'S §  
 CERTIFICATED SERVICE AREAS IN §  
 MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION 2018 AUG 14 PM 4:23  
 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. 3, files this Recommendation on Sufficiency of Notice. In support thereof, Staff shows the following:

#### I. BACKGROUND

On April 10, 2018, Stanley Lake Municipal Utility District (Stanley Lake) filed an application to amend Certificates of Convenience and Necessity (CCN) Nos. 11222 (water) and 20483 (sewer) and to decertify a portion of T&W Water Service's CCN No. 12892 and SC Utilities' CCN No. 20586 service area in Montgomery County. The requested area consists of approximately 739 total acres including nine (9) acres decertified from T&W Water Service and nine (9) acres decertified from SC Utilities, and six (6) current customers.

On May 21, 2018, the Administrative Law Judge (ALJ) issued Order No. 2 establishing a deadline of June 25, 2018, for Stanley Lake 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. Order No. 2 also required Staff to file a recommendation on sufficiency of notice 10 days after the filing of Stanley Lake's proof of notice. Stanley Lake did not file proof of notice as required.

On July 5, 2018, Staff filed a recommendation on the sufficiency of notice, and requested to amend the procedural schedule. On July 9, 2018, the ALJ issued Order No. 3 amending the procedural schedule, and establishing a deadline of July 19, 2018, for Stanley Lake 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. Order No. 3 also required Staff to file a

recommendation on the sufficiency of notice 10 days after the filing of Stanley Lake's proof of notice. Stanley Lake's signed affidavits and copies of notice were filed on July 23, 2018. Therefore, this pleading is timely filed.

## **II. SUFFICIENCY OF NOTICE**

Staff has reviewed Stanley Lake'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:

<b>Event</b>	<b>Date</b>
Notice Completed	June 6, 2018
Deadline for Intervention	July 6, 2018 <sup>1</sup>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent if no outstanding issues exist	September 4, 2018
Deadline for Applicant to file signed consent forms with the Commission	September 18, 2018
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	September 25, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	October 2, 2018

## **IV. CONCLUSION**

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

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<sup>1</sup> 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 June 1, 2018 and published on May 30, 2018 and June 6, 2018. Therefore, 30 days after June 6, 2018 is July 6, 2018.

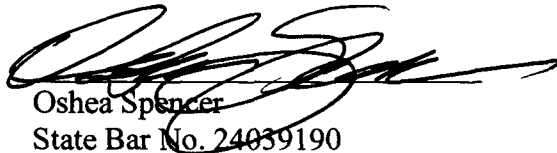
Dated: August 1, 2018

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 August 1, 2018 in accordance with 16 TAC § 22.74.



Oshea Spencer