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DOCKET NO. 48342

APPLICATION OF GUM ISLAND
UTILITY FOR AUTHORITY TO
CHANGE RATES

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PUBLIC UTILITY COMMISSION

OF TEXAS

2018 AUG 3 30
FILING CLERK

**ORDER NO. 6
FINDING APPLICATION COMPLETE AND
ADDRESSING RATEPAYER PROTEST**

This Order addresses Gum Island Utility's application for authority to change its rates. On August 3, 2018, Commission Staff recommended that the administrative law judge (ALJ) deem the application administratively complete and that the matter be referred to the State Office of Administrative Hearings (SOAH).

Commission Staff had no recommendation on the sufficiency of the notice, however re-notice is required under Texas Water Code (TWC) § 13.1871 and Title 16 of the Texas Administrative Code (TAC) § 24.26, because the initial re-notice was done before the ALJ deemed the application administratively complete.

Commission Staff recommends that the effective date of the rate change be suspended under TWC § 13.1871(g) and 16 TAC § 24.26(a)(2) for 265 days from the date of Gum Island Utility's new proposed effective date. Gum Island Utility must include the new proposed effective date in the re-notice.

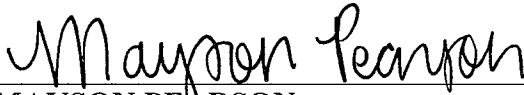
Commission Staff recommends that this docket be referred to the SOAH. Under 16 TAC § 24.28(c)(2), the Commission is required to set an application to change rates for a hearing if it receives protests from the lesser of 1,000 or ten percent of the affected ratepayers of the utility over whose rates the Commission has original jurisdiction. According to its application, Gum Island has 29 metered connections. The Commission received 14 protests from affected ratepayers,¹ which is greater than ten percent of the 29 affected ratepayers, or 2.9 ratepayers.

¹ The Commission received 17 protest filings, but two protesters share an address and two protesters filed twice. Protests were received from Debbie Barker, Kathy Carrell, Gary Davis (filed twice), Jose Escalante, Barry and Stacy Evans (filed twice), Paul and Karen Guidry, Daniel Johnstonbaugh, Jesse "J.D." Keller, Gary Lechner, Rhonda and Beckie Marchal (same address), Fred McCoy, Lynn and Margaret McLemore, Daryl Parker, and Robert Stevenson.

The ALJ deems the application administratively complete, and suspends the effective date of the rate change to 265 days from the date of Gum Island Utility's new proposed effective date. The request for referral to SOAH will be addressed in a separate order.

Signed at Austin, Texas the 8th day of August 2018.

PUBLIC UTILITY COMMISSION OF TEXAS


MAYSON PEARSON
ADMINISTRATIVE LAW JUDGE

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