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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**

FILED
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PUBLIC UTILITY COMMISSION

**ORDER NO. 12
SUSPENDING EFFECTIVE DATE AND GRANTING ABATEMENT**

This Order addresses Commission Staff's September 26, 2019, recommendation for further processing of the application.

I. BACKGROUND

This application was originally filed on May 3, 2018. In Order No. 6 filed on August 8, 2018, the administrative law judge (ALJ): (1) found the application to be administratively complete; (2) directed the applicant to issue notice of the application and identify its proposed effective date for the requested new rates in the notice; and (3) suspended the effective date of the new rates for 265 days from the date of the applicant's proposed effective date.

The applicant issued notice for the application on or about February 26, 2019. That notice stated that the proposed effective date for the requested new rates was April 1, 2019. Thus, under the formula set out in Order No. 6, the effective date for the requested new rates was extended to December 22, 2019.

II. THE NEW NOTICE

On or about September 24, 2019, the applicant issued a new notice of its proposed rate change. The rates proposed in the new notice are slightly different than those in the notice issued in February 2019. Also, the new notice proposes an effective date of November 1, 2019, for the requested new rates.

Commission Staff advises that the applicant filed, on September 20, 2019, a sale, transfer or merger (STM) application (Docket No. 50038) that will be relevant to this docket. In the present docket, Commission Staff recommends that the effective date for the rates requested be suspended

for 265 days from November 1, 2019, and that the case be abated to provide sufficient time for the processing of the related STM application.

The ALJ concludes that the notice issued in September 2019 constitutes a substantive amendment to the application and supersedes and replaces the notice issued in February 2019. As such, the deadlines set forth in Order No. 6 are no longer in effect. The ALJ further orders as follows:

- By November 19, 2019, Commission Staff must file a recommendation on the sufficiency of the notice provided by the applicant in September 2019;
- The effective date of the proposed rates is suspended to July 23, 2020 (265 days from November 1, 2019);
- Except as otherwise set forth in this order, this proceeding is abated until January 25, 2020;
- By January 25, 2020, Commission Staff must file an update on the status of the STM application and a recommendation on the further processing of this docket, including a procedural schedule.

Signed at Austin, Texas the 5th day of November 2019.

PUBLIC UTILITY COMMISSION OF TEXAS


HUNTER BURKHALTER
ADMINISTRATIVE LAW JUDGE