

Control Number: 48491



Item Number: 13

Addendum StartPage: 0

DOCKET NO. 48491

RECEIVED

APPLICATION OF MSEC §  
ENTERPRISES, INC. TO AMEND ITS §  
WATER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION  
OF TEXAS

2018 NOV 19 AM 10:21

PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF’S RECOMMENDATION ON NOTICE AND  
PROPOSED PROCEDURAL SCHEDULE**

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 Notice and Proposed Procedural Schedule. Staff recommends that the notice be found sufficient. In support thereof, Staff shows the following:

**I. BACKGROUND**

On June 26, 2018, MSEC Enterprises, Inc. (MSEC) filed an application to amend water certificate of convenience and necessity number (CCN) 12887 in Montgomery County. MSEC is seeking to amend its application to provide water service requested by the landowner in an area with no current retail water utility service. The affected service area requested includes approximately 40 acres and 0 customers. MSEC supplemented its application on August 23, 2018.

On October 1, 2018, the Administrative Law Judge (ALJ) issued Order No. 2, establishing a deadline for Staff to file a recommendation on the sufficiency of MSEC’s notice within ten (10) days of MSEC filing proof of completed notice with the Commission. MSEC filed proof of notice on November 9, 2018 and a revised affidavit of proof of notice on November 16, 2018. Therefore, this pleading is timely filed.

**II. SUFFICIENCY OF NOTICE**

Staff has reviewed the notice documentation filed by MSEC on November 9, 2018 and November 16, 2018. The Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties indicates that notice was mailed on October 2, 2018. The Affidavit of Publication indicates that notice was published on October 5, 2018 and October 12, 2018. Staff recommends that the notice be deemed sufficient.

### III. PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicant's notice be found sufficient, Staff proposes the following supplemental procedural schedule:

Event	Date
Notice completed	October 12, 2018
Deadline for intervention	November 12, 2018 <sup>1</sup>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	January 11, 2019
Deadline for Applicant to file signed consent forms with the Commission	January 25, 2019
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	February 1, 2019
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	February 8, 2019

### IV. CONCLUSION

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

---

<sup>1</sup> Pursuant to 16 TAC § 24.235(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on October 2, 2018 and published on October 5, 2018 and October 12, 2018. 30 days after October 12, 2018 is November 11, 2018, which falls on a Sunday. The next business day is November 12, 2018.

Dated: November 19, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Stephen Mack  
Managing Attorney



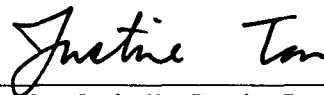
---

Justine Isabelle Caedo Tan  
State Bar No. 24104914  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7163  
(512) 936-7268 (facsimile)  
Justine.Tan@puc.texas.gov

**DOCKET NO. 48491**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on November 19, 2018, in accordance with 16 TAC § 22.74.



---

Justine Isabelle Caedo Tan