



Control Number: 48819



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APPLICATION OF NORTHTOWN  
ACRES WATER SUPPLY FOR  
AUTHORITY TO CHANGE RATES

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2019 OCT 16 AM 10:26  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF TEXAS

### COMMISSION STAFF'S REQUEST FOR REFERRAL

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Request for Referral and would show the following:

#### I. BACKGROUND

On January 18, 2019, Northtown Acres Water Supply (Northtown Acres) filed an application for authority to change rates pursuant to Texas Water Code (TWC) § 13.1781 and § 13.1872(c)(2) and 16 Texas Administrative Code (TAC) §§ 24.25 - 24.35. Order No. 6, issued July 19, 2019, deemed Northtown Acres' application administratively complete and its proof of notice sufficient and suspended the proposed effective date for no more than 265 days in accordance with 16 TAC § 24.33(a)(2). The order also set deadlines of November 13, 2019, for ratepayer protests or complaints by any affected municipalities and November 20, 2019 for Staff to request a hearing or file a recommendation on final disposition. Therefore, this pleading is timely filed.

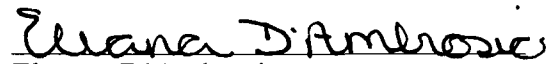
#### II. REQUEST FOR REFERRAL TO THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

Northtown Acres is a Class C Utility<sup>1</sup> filing an application to change rates under TWC § 13.1872(c)(2), which requires a Class C Utility to comply with the procedures to change rates described in TWC § 13.1871. Pursuant to TWC § 13.1871(i) and 16 TAC § 24.35(c)(2), the Commission must set an application filed under TWC § 13.1871 for hearing if it receives protests from the lesser of 1,000 or ten percent of the affected ratepayers during the first 90 days after the effective date of the rate change. Northtown Acres' requested rate increase will affect

<sup>1</sup> SB 700 passed during the 86th Legislative Session, which took effect on September 1, 2019, increased the number of water utility classifications from three to four, amended TWC §§ 13.1871 and 13.1872 accordingly, and added TWC § 13.18715. Because Northtown Acres' application was filed in January of 2019, these changes are not applicable in this proceeding.

**DOCKET NO. 48819**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 16, 2019 in accordance with 16 Texas Administrative Code § 22.74.

  
Eleanor D' Ambrosio