



Control Number: 48980



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APPLICATION OF FRIO CANYON
WATER, LLC FOR AUTHORITY TO
CHANGE RATES

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PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Supplemental Recommendation on Administrative Completeness and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On December 14, 2018, Frio Canon Water, LLC (Frio) filed an application for authority to change rates for the Frio Canon Water System.

On May 13, 2019, Order No. 5 was issued, finding the notice incomplete and deficient, and requiring Staff to file a supplemental recommendation on the sufficiency of Frio's revised notice by May 31, 2019. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON NOTICE

Staff has reviewed the updated notice pursuant to Texas Water Code § 13.1871 and 16 Texas Administrative Code §§ 24.25-29, and recommends that the notice, with the corrected affidavit, be found sufficient. The applicant provided supplemental documentation on April 22, 2019 indicating that notice was delivered on April 12, 2019. Staff recommends that the Commission adopt the effective date of June 1, 2019, and find the application and statement of intent sufficient for filing pursuant to 16 TAC §§ 24.8(a) and 24.27(d). In Order No. 3, issued on March 22, 2019, the Administrative Law Judge (ALJ) suspended Frio's effective date for 265 days. Pursuant to 16 TAC § 24.37(d), Applicant may file a motion requesting interim rates to remain in effect until a final decision is made in this proceeding.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

| Event | Date |
|--|--------------------|
| Application Filed | December 14, 2018 |
| Effective Date of Proposed Rate | June 1, 2019 |
| 90 day deadline to reach 10% ratepayer protest threshold to set matter for hearing | August 30, 2019 |
| Deadline: <ul style="list-style-type: none">• for any affected municipality or ratepayer to file a complaint or protest;• to move to intervene; and• for intervenors to file a request for a hearing on the merits or file comments | August 30, 2019 |
| Deadline for Staff to request a hearing on the merits or to make a recommendation on final disposition if no hearing is requested | September 13, 2019 |
| Deadline: <ul style="list-style-type: none">• for Applicant to request a hearing or respond to intervenor comments and Staff's recommendation on final disposition; or• for parties to file a proposed notice of approval with proposed findings of fact and conclusions of law, if no hearing is requested | October 11, 2019 |

IV. CONCLUSION

Staff respectfully requests that the ALJ find the notice sufficient and that the procedural schedule proposed above be adopted.

DATED: May 31, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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Division Director

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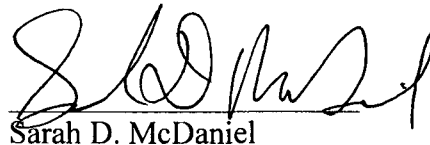


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 31, 2019, in accordance with 16 TAC § 22.74.



Sarah D. McDaniel