



Control Number: 48980



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DOCKET NO. 48980

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

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§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2019 JAN 30 AM 10:09
FILED CLERK

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF
APPLICATION AND NOTICE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Sufficiency of Application and Notice. 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 with a proposed effective date for the rate change of January 31, 2019.

On January 3, 2019, Order No. 1 was issued, requiring Frio to file additional information and supporting documentation by January 16, 2019. On January 18, 2019, Frio filed its Comments on Administrative Completeness and Addressing Other Procedural Matters. Order No. 1 also required Staff to file comments on the administrative completeness of the application and notice and to propose a procedural schedule by January 30, 2019. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON SUFFICIENCY

Staff has reviewed the application and, as detailed in the attached memorandum of Nabaraj Pokharel and Andrew Novak of the Commission's Water Utility Regulation Division, Staff recommends that the application be found deficient and therefore not administratively complete. Specifically, Staff recommends that Frio be required to remedy the deficiencies identified in the attached memorandum and that the effective date be suspended pursuant to Texas Water Code § 13.1871(e) and 16 Texas Administrative Code (TAC) § 24.33(b)(1).

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for Frio to amend its application and cure deficiencies	February 14, 2019
Deadline for Staff's supplemental recommendation on administrative completeness	February 28, 2019

IV. CONCLUSION

Staff respectfully requests that the Administrative Law Judge find the application administratively incomplete and order that the effective date of rates be suspended until the application is determined administratively complete.

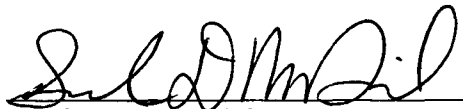
DATED: January 30, 2019

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

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Managing Attorney



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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 30, 2019, in accordance with 16 TAC § 22.74.


Sarah D. McDaniel

PUC Interoffice Memorandum

To: Sarah McDaniel, Attorney
Legal Division

Thru: Debi Loockerman, Manager
Water Utility Regulation Division

From: Nabaraj Pokharel, Engineering Specialist
Andrew Novak, Financial Analyst
Water Utility Regulation Division

Date: January 30, 2019

Subject: **Docket No 48980**, *Application of Frio Canyon Water, LLC for Authority to Change Rates*

On December 14, 2018, Frio Canon Water, LLC (Applicant), Certificate of Convenience and Necessity (CCN) No. 13145, filed with the Public Utility Commission of Texas (Commission) an application to change its tariff and increase its water service rates pursuant to Texas Water Code § 13.1871 and 16 Texas Administrative Code (TAC) §§ 24.25-24.29.

After review of the application and notice, Staff found multiple deficiencies. Therefore, Staff recommends that the application be found insufficient for filing and that the effective date of the rate change be suspended. Furthermore, in order to correct the deficiencies in the application, Staff recommends the Applicant do the following:

1. Complete Schedules IV and V in the application;
2. Provide a signed affidavit of completeness, which is attached to this recommendation; and
3. Correct the billing comparison on the notice sent out to customers.

Staff requests that Applicant submit an annual report which was due on June 1, 2018 for operations completed December 31, 2017 as required by 16 TAC § 24.129. Instructions for submitting an annual report can be found on the Commission's website: <http://www.puc.texas.gov/industry/water/Forms/Forms.aspx>.

(Company Name)

(For Test Year Ended)

VERIFICATION

OATH

(To be made by the officer having control of the accounting of the respondent.)

State of _____

as:

County of _____

_____ makes oath and says that he/she is _____

(Name of Affiant)

(Official Title of Affiant)

of _____

(Exact Legal Title or Name of the Respondent)

The signed officer has reviewed the rate application.

Based on the officer's knowledge, the rate application does not contain any untrue statements of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which such statements were made, not misleading.

Based on such officer's knowledge, the financial statements, operations and other financial information included in the rate application, fairly present in all material respects the financial condition and results of operations of the preparers as of, and for, the periods presented in the rate application.

He/she swears that all other statements contained in the said rate application are true, and that the said rate application is a correct and complete statement of the business and the above-named respondent during the test year time frame of _____ to _____, and including any additional time frames aside from the aforementioned test year resulting from rate case requests for information.

Subscribed and sworn to and before me, a _____ in and for the State and County above-named, this _____ day of _____.

(Signature of Affiant)

My commission expires _____.

(Signature of Officer Authorized to Administer Oaths)