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DOCKET NO. 49059

**PETITION OF MALONE ADDITION
WATER SYSTEM TO DISCONTINUE
WATER SERVICE AND CANCEL ITS
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN TRAVIS
COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

OF TEXAS

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and, in response to Order No. 7, files this Recommendation on Sufficiency of Notice. In support, Staff shows the following:

I. BACKGROUND

On Jan 2, 2019, Malone Addition Water System (Malone Addition) filed with the Public Utility Commission of Texas a petition to discontinue water service and cancel its water Certificate of Convenience and Necessity (CCN) No. 12534 in Travis County, Texas pursuant to Texas Water Code (TWC) § 13.254(b) and the 16 Texas Administrative Code (TAC) § 24.249.

On October 31, 2019, the administrative law judge (ALJ) issued Order No. 6, which required Staff to file a response to Malone Addition's response to Staff's motion to dismiss along with a supplemental recommendation regarding the administrative completeness of the application and a procedural schedule, if appropriate. The ALJ ordered that the recommendation be submitted by November 27, 2019. Staff recommended that the application be found administratively complete, and on December 6, 2019, the ALJ issued Order No. 7, which found the application administratively complete. The order also established a deadline of January 6, 2020, for Malone Addition to file proof of notice and a deadline of January 21, 2020, for Staff to file a recommendation on the sufficiency of that notice. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON SUFFICIENCY OF NOTICE

Malone Addition has not yet provided proof of notice. Therefore, Staff recommends that notice be found insufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for further processing of this docket:

Event	Deadline
Deadline for Applicant to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties	February 19, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	March 2, 2020
Deadline to intervene	30 days after notice is issued

IV. CONCLUSION

Staff recommends that notice be deemed insufficient and requests that the Commission issue an order consistent with the schedule detailed above.

Dated: January 21, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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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 21, 2020, in accordance with 16 TAC § 22.74.


Merritt Lander