



Control Number: 49059



Item Number: 18

Addendum StartPage: 0

DOCKET NO. 49059

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

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**COMMISSION STAFF'S SUPPLEMENTAL 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. 8, files this Supplemental 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 Commission 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 Tex. Admin. 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. On January 21, 2020, Staff recommended that notice be found deficient, and on January 22, 2020, the ALJ issued Order No. 8, which ordered Malone Addition to cure the deficiencies identified in Staff's recommendation by February 19, 2020 and set a deadline of March 2, 2020 for Staff to file a supplemental recommendation on sufficiency of notice.

II. SUPPLEMENTAL 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	March 31, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	April 15, 2020
Deadline to intervene	April 30, 2020

IV. CONCLUSION

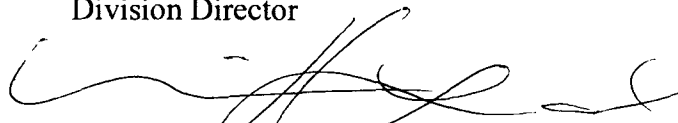
Staff respectfully requests that notice be deemed insufficient and that the proposed procedural schedule above be adopted.

Dated: March 3, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

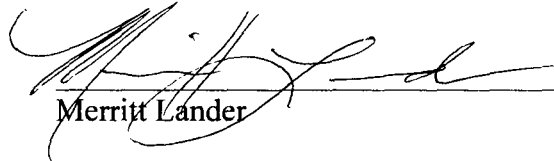


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 3, 2020, in accordance with 16 TAC § 22.74.



Merritt Lander