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DOCKET NO. 49079

RECEIVED

APPLICATION OF KAMIRA §
PROPERTY OWNERS §
ASSOCIATION, INC. §
DBA KAMIRA WATER SYSTEM FOR §
APPROVAL OF A SAMPLING FEE §
SURCHARGE §

2019-9 AM 11:55
PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

NOTICE OF APPROVAL

This Notice of Approval addresses the application of Kamira Property Owners Association, Inc. dba Kamira Water System for approval of a sampling fee surcharge. Kamira proposes to recover sampling fees in the amount of \$1,472.70 from its 33 connections by charging a surcharge of \$14.87 per month for a three-month period. The Commission approves recovery of the requested sampling fees, but orders that it be recovered by a surcharge of \$7.43 per month for a six-month period.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Kamira is a domestic non-profit corporation registered with the Texas Secretary of State on September 1, 1989, under filing number 112542201.
2. Kamira provides water service under certificate of convenience and necessity (CCN) number 12176.

Application

3. On January 7, 2019, Kamira filed an application with the Commission seeking approval of a surcharge to recover sampling fees of \$1,472.70 it incurred during the year 2018. Kamira sought approval to charge \$14.87 per month over a three-month period to its 33 connections to recover these costs. Kamira included with its application copies of laboratory invoices, documenting the sampling fees incurred.

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4. The sampling fees sought by Kamira to be recovered by the surcharge were not included in the cost of service in a prior rate case, and were incurred in order to comply with certain water quality standards under the Safe Drinking Water Act.
5. Commission Staff filed its recommendation concerning the application on February 5, 2019, recommending that a sampling fee surcharge of \$7.43 per month be approved for a term of six months in lieu of the requested three-month surcharge of \$14.87 per month. Commission Staff further recommended that the first bill reflecting the surcharge be required to include the following statement, "A sampling surcharge has been approved by the Public Utility Commission of Texas (PUC) to cover sampling fees incurred by the utility and required by the Safe Drinking Water Act."
6. Kamira did not object to Commission Staff's recommendation.

Eligibility for Approval of Surcharge – 16 TAC §§ 24.25(b)(2)(A)(viii) and 24.25(b)(2)(G)(ii)(I)

7. The proposed surcharge is not included in the cost of service in a prior rate case.
8. The proposed charge will recover only the sampling fees actually incurred by Kamira.

Informal Disposition

9. More than 15 days have passed since the completion of notice provided in this docket.
10. No person filed a protest or motion to intervene.
11. Commission Staff and Kamira are the only parties to this proceeding.
12. No party requested a hearing, and no hearing is needed.
13. Commission Staff recommended approval of the application.
14. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. Kamira is a retail public utility as defined in Texas Water Code (TWC) § 13.002(19) and 16 Texas Administrative Code (TAC) § 24.3(59).
2. The Commission has jurisdiction over the application under TWC § 13.041.

3. The Commission may approve a surcharge to enable Kamira to recover its sampling fees under 16 TAC §§ 24.25(b)(2)(A)(viii) and 23.25(b)(2)(G)(ii)(I).
4. The Commission processed the application as required by the TWC, the Administrative Procedure Act,¹ and Commission rules.
5. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission authorizes Kamira to collect a sampling fee surcharge of \$7.43 per month to each connection for six months to recover a maximum of \$1,472.70.
2. The surcharge will commence with the first billing cycle after the effective date of this Notice of Approval.
3. Kamira must include with its first bill reflecting this surcharge a notice to customers stating, "A sampling surcharge has been approved by the Public Utility Commission of Texas to cover sampling fees incurred by the utility and required by the Safe Drinking Water Act." Kamira must also include with this notice a statement that Kamira is not authorized by the Commission to collect more than the total approved amount in the order approving the surcharge.
4. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

¹ Tex. Gov't Code, ch. 2001.

Signed at Austin, Texas the 9th day of April 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



STEVEN LEARY
ADMINISTRATIVE LAW JUDGE

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