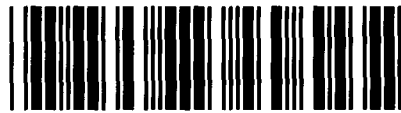




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DOCKET NO. 49176

RECEIVED

APPLICATION OF TROY HENRY FOR  
TEMPORARY RATES FOR SERVICE  
PROVIDED FOR A NONFUNCTIONING  
UTILITY

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PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Administrative Completeness in response to Order No. 1. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 5, 2019, Troy Henry (Henry), temporary manager of Tawakoni Waste, LLC ("Utility"), filed with the Public Utility Commission ("Commission" or "PUC") a request for a temporary rate increase pursuant to Texas Water Code Ann. (TWC) § 13.046 and 16 Tex. Admin. Code (TAC) § 24.363 (formerly 16 TAC § 24.147), in Hunt County, Texas. The Texas Commission on Environmental Quality issued an emergency order effective for the period of December 21, 2018 through June 19, 2019, appointing Henry as temporary manager of Utility.

On February 11, 2019, the administrative law judge (ALJ) issued Order No. 1 requiring Staff to file comments on the sufficiency of the application and propose a procedural schedule by March 14, 2019. This pleading is therefore timely filed.

**II. RECOMMENDATION ON SUFFICIENCY OF THE APPLICATION AND  
NOTICE**

As supported by the attached memorandum of Patricia Garcia of the Water Utility Regulation Division, Staff recommends the application be found administratively complete and deemed sufficient for filing. Staff also recommends that Henry's provision of notice be deemed sufficient. Henry mailed notice to Utility's customers on February 1, 2019 in compliance with 16 TAC § 24.363 (formerly 16 TAC § 24.147). Staff further recommends that Henry be required to file the information indicated in the attached memorandum and that Henry be allowed to begin collecting the proposed rate.

### **III. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule for use in this proceeding:

<b>Event</b>	<b>Date</b>
Deadline for the Applicant to file documentation requested by Commission Staff in the attached memorandum	March 18, 2019
Deadline for interested parties to file comments	March 18, 2019
Deadline for Commission Staff's recommendation on final disposition; deadline for Staff to request a hearing on the merits	April 1, 2019
Deadline for Applicant to respond to comment and Commission Staff recommendation or request for hearing, if needed; deadline for parties to file a proposed notice of approval including joint proposed findings of fact, conclusions of law, and ordering paragraphs	April 15, 2019
If applicable, administrative review completed 90 days from date Commission received notice of the temporary rate increase, per 16 TAC § 24.363	May 6, 2019

### **IV. CONCLUSION**

For the reasons stated above, Staff respectfully requests the issuance of an order consistent with the above recommendation.

Dated: March 1, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
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 March 1, 2019 in accordance with 16 TAC § 22.74.



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Rustin Tawater