



Control Number: 49335



Item Number: 9

Addendum StartPage: 0

DOCKET NO. 49335

**APPLICATION OF THE RIDGE AT
FRIO RIVER WATER COMPANY LLC
FOR A PRICE INDEX RATE
ADJUSTMENT**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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COMMISSION STAFF'S RESPONSE TO ORDER NO. 3

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this response. In support thereof, Staff would show the following:

I. BACKGROUND

On March 14, 2019, The Ridge at Frio River Water Company LLC (The Ridge) filed an application for a price index rate adjustment under Tex. Water Code § 13.1872 (TWC) and 16 Tex. Admin. Code (TAC) § 24.49.

On April 17, 2019, Order No. 2 was issued, finding the application administratively complete and establishing a deadline of April 29, 2019, for Staff to file a recommendation on final disposition. The Ridge filed supplemental information required from Order No. 1 on April 16th of 2019. On April 26, 2019, Staff made a recommendation that The Ridge's application be approved. On May 24, 2019, Order No. 3 requested Staff to make a clarification and to comment on the sufficiency of notice by June 21, 2019. This pleading, therefore, is timely filed.

II. CLARIFICATION

In Order No. 3, the Administrative Law Judge requires Staff to file a clarification on the correctness of the filing month of The Ridge's application. Under 16 TAC § 24.49(f)(A) utilities with a certificate of convenience (CCN) number ending from 00-27 may file in Quarter 1 from January to March. The Ridge holds CCN No. 13233, ending in 33. Typically, The Ridge would be permitted to file in Quarter 2, between April and June. Staff made an inadvertent error and failed to notice this discrepancy. Staff would respectfully ask the ALJ to make a good cause exception for The Ridge filing in the incorrect quarter in this case.

III. SUFFICIENCY OF NOTICE

In Order No. 2, filed on April 17, 2019, the ALJ required The Ridge to file proof of the updated notice to customers by May 6, 2019. In Order No. 3, the ALJ required The Ridge to file proof of the updated notice to customers by June 14, 2019. To date, The Ridge has failed to file proof of notice. Staff has attempted to communicate with The Ridge on this topic numerous times over the last few weeks to no avail. Therefore, at this time, Staff makes no comment on the sufficiency of The Ridge's notice to customers.

IV. CONCLUSION

Staff respectfully submits this response to Order No. 3 and offers its clarification and comments on the sufficiency of notice.

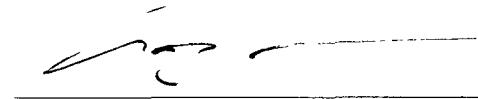
Dated: June 21, 2019

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

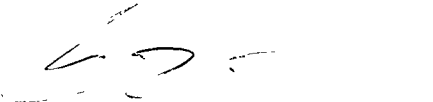


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 21st of June, 2019 in accordance with 16 TAC § 22.74.



Creighton R. McMurray