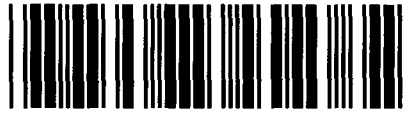


Control Number: 49443



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 49443

**PETITION OF RIVER OAKS RANCH
WATER SYSTEM TO DISCONTINUE
SERVICE AND CANCEL ITS EXEMPT
UTILITY REGISTRATION**

§
§
§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2019 APR 14 11:10
Public Utility Commission

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND PROPOSED NOTICE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed insufficient for further review. In support thereof, Staff shows the following:

I. BACKGROUND

On April 15, 2019, River Oaks Ranch Water System filed a petition to cancel its water exempt utility registration number N0069 in Bandera County.

On April 18, 2019, Order No. 1 was issued, establishing a deadline of May 15, 2019, for Staff to file a recommendation on the administrative completeness of the application and proposed notice and propose a procedural schedule for further processing of the application. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS OF APPLICATION

As detailed in the attached memorandum from Debbie Reyes of the Commission's Water Utility Regulation Division, Staff has reviewed the petition and recommends that it be found administratively incomplete.

III. PROPOSED NOTICE

Staff recommends that the applicant not issue notice at this time due to the application's incompleteness.

IV. PROCEDURAL SCHEDULE

Staff will file a proposed procedural schedule once the applicant files an administratively complete application

V. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued that finds River Oaks's application administratively incomplete at this time, and that orders the applicant to follow the guidelines in the attached memorandum by Ms. Reyes in order to cure the deficiencies.

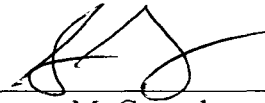
Dated: May 14, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney




Steven M. Gonzalez
State Bar No. 24109210
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
Steven.Gonzalez@puc.texas.gov

DOCKET NO. 49443

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 14, 2019, in accordance with 16 TAC § 22.74.



Steven M. Gonzalez

PUC Interoffice Memorandum

To: Steven Gonzalez, Attorney
Legal Division

From: Debbie Reyes, Program Specialist
Water Utilities Division

Thru: Tammy Benter, Director
Water Utility Regulation Division

Date: May 14, 2019

Subject: Docket No. 49443, *Application of River Oaks Ranch Water System to Cancel Exempt Utility Registration*

On June 17, 2015, River Oaks Ranch Water System (Applicant), filed an application to cancel Exempt Utility Registration No. N0069 pursuant to 16 Texas Administrative Code § 24.229(e). Section 24.229(e) exempts a utility from the requirement to possess a Certificate of Convenience and Necessity (CCN) in order to provide retail water service if it has less than 15 potential service connections. The Applicant asserts the exempt utility service area includes approximately 80 total acres and 8 current customers.

Staff has determined that the application is sufficient for mapping; however, the application fails to provide information regarding the customers' drilling wells, such as how many current customers have drilled wells, how many wells are under construction, and the date when all of the customers will be off the system. The application further requires clarification if the well will continue to be used or shut down subsequent to the cancellation of the registration. If the well will continue to be used, Applicant will need to identify who will use it as well as the purpose for its uses. If the well will be shut down, Applicant needs to identify what steps have been taken to notify TCEQ. Therefore, staff recommends the application be deemed incomplete for filing, and further recommends the Applicant provide the foregoing information.