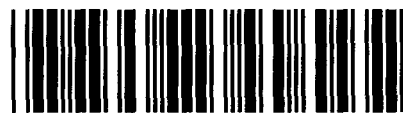




Control Number: 49468



Item Number: 4

Addendum StartPage: 0

TARIFF CONTROL NO. 49468

**APPLICATION OF TRINITY SO PTN,
LP. FOR A PASS-THROUGH RATE
CHANGE**

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PUBLIC UTILITY COMMISSION

OF TEXAS

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NOTICE OF APPROVAL

This Notice of Approval addresses Trinity SO PTN, LP.'s application for a pass-through rate change for purchased water fees assessed by the North Harris County Regional Water Authority (NHCRWA). The Commission approves the increase of \$3.51 to \$4.28 per 1,000 gallons for customers within the subdivision of Trinity Spring Oaks Mobile Home Park, effective April 1, 2019.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Trinity SO is a domestic limited partnership registered with the Texas secretary of state under filing number 801012636.
2. Trinity SO provides water services under certificate of convenience and necessity (CCN) number 13240 in Harris County.

Application

3. On April 23, 2019, Trinity SO filed an application seeking to implement a pass-through rate change provision in its approved tariff for customers in the Trinity Spring Oaks Mobile Home Park subdivision. Trinity SO seeks to pass-through an increase from \$3.51 to \$4.28 per 1,000 gallons in the well-pumpage fee billed to the utility by its supplier, NHCRWA.
4. The requested pass-through rate includes \$0.43 per 1,000 gallons as compensation for line loss of 10.1%, calculated in accordance with the pass-through equation stated in the current tariff.
5. Only Trinity SO's customers within the Trinity Spring Oaks Mobile Home Park subdivision are subject to the increased purchased water costs.

6. The pass-through increase of \$3.51 to \$4.28 per 1,000 gallons for customers within the Trinity Spring Oaks Mobile Home Park subdivision is effective April 1, 2019.
7. The application contained the affected CCN number, the affected subdivision, public water system name and corresponding number issued by the TCEQ, a copy of the notice to the customers, documentation supporting the stated amounts of any new or modified pass-through costs, historical documentation of line loss for one year, all calculations and assumptions for any true-up of pass-through costs, the calculations and assumptions used to determine the new rates, and a copy of the pages of the utility's tariff that contain the rates that will change if the application is approved.

Notice

8. On April 19, 2019, Trinity SO mailed notice to all affected customers, detailing the proposed rate increase, and reflecting that the increase rate will be effective April 1, 2019. Trinity SO's application included a copy of the notice to customers.
9. The notice contained the effective date of the change, the present calculation of customer billings, the new calculation of customer billings, the change in charges to Trinity SO for purchased water, and the following language: "This tariff change is being implemented in accordance with the minor tariff changes allowed by 16 Texas Administrative Code § 24.25. The cost to you as a result of this change will not exceed the costs charged to your utility."

Jurisdiction—Texas Water Code (TWC) §§ 13.002(19), 13.041

1. Trinity SO is a retail public utility that purchases water.
2. Trinity SO is under the original jurisdiction of the Commission.

Eligibility for Pass-Through Rate Change—16 Texas Administrative Code (TAC) § 24.25

3. The proposed charge is not included in the cost of service used to calculate the rates in the currently-approved tariff.
4. The proposed charge will pass through only the actual increase in costs charged to Trinity SO by NHCRWA.

Tariff

5. The current tariff for the Trinity Spring Oaks Mobile Home Park subdivision was approved by the Commission on August 15, 2018 in Tariff Control No. 48517, upon the approval of a previous pass-through rate change application.
6. The current tariff includes a pass-through rate change provision stating that changes in costs imposed by non-affiliated providers of purchased water will be passed through as an adjustment to the gallonage rate under a specified formula.
7. On May 23, 2019, Commission Staff filed a proposed tariff as an attachment to its recommendation. The proposed tariff reflects the proposed rate increase and contains a pass-through rate change provision similar to the current tariff.

Informal Disposition

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

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. Trinity SO is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(59).
2. The Commission has jurisdiction over the application under TWC § 13.041.
3. The Commission may approve this minor change to Trinity SO's tariff under 16 TAC § 24.25(b)(2)(A)(vii).
4. Notice of the application was provided in compliance with 16 TAC § 24.25(b)(2)(F).

5. The Commission processed the application as required by the TWC, the Administrative Procedure Act,¹ and Commission rules.
6. 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 approves Trinity SO's application for a pass-through rate increase from \$3.51 to \$4.28 per 1,000 gallons effective April 1, 2019 for customers in the Trinity Spring Oaks Mobile Home Park subdivision.
2. The Commission approves the tariff filed by Commission Staff on May 23, 2019.
3. Within ten days after the date of this Notice of Approval, Commission Staff must provide a clean copy of the tariff approved in this Notice of Approval to central records to be marked *Approved* and filed in the Commission's tariff book.
4. If Trinity SO collects an amount as a result of this pass-through rate increase that is higher than the purchased water costs incurred, Trinity SO must refund any amounts collected in excess of the purchased water costs.
5. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

Signed at Austin, Texas the 27th day of June 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



CHRISTOPHER OAKLEY
ADMINISTRATIVE LAW JUDGE

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¹ Tex. Gov't Code ch. 2001.