

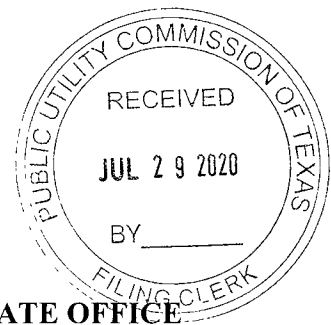


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**SOAH DOCKET NO. 473-20-3997.WS
PUC DOCKET NO. 49926**

APPLICATION OF CRYSTAL CLEAR SPECIAL UTILITY DISTRICT FOR A NAME CHANGE AND TO AMEND ITS SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN COMAL, HAYS, AND GUADALUPE COUNTIES	§ § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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COMMISSION STAFF’S MOTION TO SEVER AND REMAND

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

I. BACKGROUND

On September 3, 2019, Crystal Clear Special Utility District (Crystal Clear) filed an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 21086 in Comal, Hays, and Guadalupe Counties. The application was filed pursuant to Texas Water Code § 13.242-.250 and 16 Texas Administrative Code (TAC) § 24.225-.237.

On June 16, 2020, an Order of Referral was issued, referring the matter to the State Office of Administrative Hearings to conduct a hearing. On July 16, 2020, the Preliminary Order was filed, identifying the issues to be addressed at that hearing.

II. MOTION TO SEVER AND REMAND

Under 16 TAC § 22.34(b), a proceeding may be severed if doing so would “serve the interest of efficiency or prevent unwarranted expense and delay; and the applicant’s ability to present its case and other parties’ ability to respond to the applicant’s case would not be unduly prejudiced.” The Preliminary Order omits the issue of Crystal Clear’s name change,¹ and Staff believes that the request for a name change is not a contested issue in this proceeding. In the interest of efficiency and conservation of resources, Staff requests that the name change be severed from the contested issues to be addressed in the docket and remanded to the Commission

¹ See Commission Staff’s Recommendation on Administrative Completeness and Motion to Restyle the Docket to Reflect the Requested Name Change at 1-3 (Oct. 3, 2019).

for administrative processing. Staff's request will allow for a review of the name change without waiting for the resolution of the contested issues through a hearing.

III. CERTIFICATE OF CONFERENCE

Pursuant to 1 TAC § 155.305, Staff certifies that it has conferred with all parties to the matter on July 24, 2020, on the motion and can represent that the intervenors, Carson Select Investments, LP, the City of San Marcos, and MCLB Land, LLC, are unopposed to this motion and that the applicant, Crystal Clear, is in agreement with this motion.

IV. CONCLUSION

Staff respectfully requests an order severing Crystal Clear's request for a name change from this proceeding and remanding the issue to the Commission for administrative processing.

Dated: July 29, 2020

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on July 29, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Creighton R. McMurray
Creighton R. McMurray