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DOCKET NO. 50325

**APPLICATION OF GRISTMILL
UTILITY COMPANY, LLC TO
OBTAIN A SEWER CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
HAYS COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Sufficiency of Notice. Staff recommends that notice be deemed sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On December 6, 2019, Gristmill Utility Company, LLC (Gristmill) filed an application for a sewer certificate of convenience and necessity (CCN) in Hays County. The requested service area consists of 260 acres, and 888 current customer connections. Gristmill filed supplemental information on January 31, 2020; April 3, 2020; June 10, 2020; and July 17, 2020. Gristmill filed proof of notice on September 18, 2020 and October 12, 2020.

On October 13, 2020, the administrative law judge filed Order No. 8, establishing a deadline of October 23, 2020, for Staff to file a recommendation on the sufficiency of notice. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

Staff has reviewed the notice documentation filed by Gristmill on September 18, 2020 and October 12, 2020. Gristmill filed an Affidavit of Notice to Neighboring Utilities and Affected Parties indicating that notice of the application was mailed to those entities on August 24, 2020. Gristmill filed an Affidavit of Notice to Current Customers indicating that notice of the application was mailed to current customers on October 12, 2020. Gristmill filed the affidavit, map, and copy of notice in the docket within thirty (30) days of the date of notice.

Gristmill's filing also included a publisher's affidavit showing that notice was published in *San Marcos Daily Record*, a newspaper of general circulation in Hays County, on August 23, 2020

and August 30, 2020. Gristmill filed the publisher's affidavit in the docket within thirty (30) days of the date of notice.

Staff has reviewed Gristmill's proof of notice filing and recommends that Gristmill provided notice in accordance with Staff's Third Supplemental Recommendation on Administrative Completeness and Proposed Notice filing on August 14, 2020. Therefore, Staff recommends that Gristmill's notice of the application be deemed sufficient.

III. PROCEDURAL SCHEDULE

Staff recommends that notice be found sufficient. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline to Intervene	November 11, 2020
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable), to the applicant for review and consent	December 11, 2020
Deadline for Gristmill to file signed consent forms with the Commission	January 4, 2021
If no hearing is requested, deadline for Commission Staff to file a final recommendation on the application	January 15, 2021
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	January 29, 2021

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the notice be found sufficient and that the proposed procedural schedule be adopted.

Dated: October 23, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Robert Dakota Parish
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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 October 23, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish