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APPLICATION OF SIMPLY AQUATICS, §  
INC. FOR A CLASS D ANNUAL RATE §  
ADJUSTMENT §

PUBLIC UTILITY COMMISSION  
OF TEXAS

2020 MAR 11 PM 2:20  
PUBLIC UTILITY COMMISSION &  
FILING CLERK

**ORDER NO. 1  
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS  
AND NOTICE, AND ADDRESSING PROCEDURAL MATTERS**

**I. Application**

This Order addresses the application of Simply Aquatics, Inc.<sup>1</sup> filed on February 28, 2020, for a Class D annual rate adjustment for the La Playa subdivision. Simply Aquatics holds water certificate of convenience and necessity (CCN) number 13259.

**II. Requiring Additional Information from Simply Aquatics**

By March 23, 2020, Simply Aquatics must identify the total number of water connections it serves including those in La Playa, El Pinon Estates, and Vista Verde subdivisions.

**III. Requiring Comments on Administrative  
Completeness of the Application and Notice**

The application is required to be reviewed for administrative completeness within 30 calendar days of receipt of the application. By March 30, 2020,<sup>2</sup> Commission Staff must file comments on the administrative completeness of the application and notice. Further, if Commission Staff recommends that the application be deemed administratively complete, Commission Staff must also file a recommendation on final disposition, including, if necessary, a proposed tariff sheet reflecting the requested rate change.

**IV. Discovery**

Discovery may proceed informally; however, objections to requests for information (RFIs) must be filed and served within ten days of receiving the RFI. Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve

<sup>1</sup> The application lists the utility name as La Playa Subdivision, however, Simply Aquatics, Inc. is the holder of CCN number 13259 and thus is the correct name of the applicant requesting a Class D annual rate adjustment.

<sup>2</sup> Under 16 TAC § 24.49(d)(2), Commission Staff must file comments within 30 days of the filing of the application. The 30th day is, however, March 29, 2020, a Sunday. Therefore, under 16 TAC § 22.4(a), the deadline is extended to the following Monday.

a discovery dispute, a motion to compel a response to an RFI must be filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

#### V. Filing Requirements

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 TAC § 22.71. A copy of each document filed with the Commission must also be served on all parties in accordance with in 16 TAC § 22.74. All filings can be accessed on the PUC Interchange, which may be found at <http://interchange.puc.texas.gov>.

Each party must provide their current address, telephone and fax numbers, if available, to the Commission and all other parties by filing and serving all parties with such information. Each party must provide the Commission and all other parties with updated address, telephone, and fax information, if such information changes. The telephone and fax numbers will be placed on the service list for this proceeding. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

#### VI. Ex Parte Communications

In accordance with 16 TAC § 22.3(b)(2), *ex parte* communications with the administrative law judge and presiding officer are prohibited. Parties must communicate with the administrative law judge only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 11<sup>th</sup> day of March 2020.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
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**HUNTER BURKHALTER**  
**CHIEF ADMINISTRATIVE LAW JUDGE**