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DOCKET NO. 50792

**PETITION OF VAL VERDE UTILITY
COMPANY, LLC TO DECERTIFY ITS
CERTIFICATED WATER AREA AND
CANCEL ITS WATER CERTIFICATE
OF CONVENIENCE AND NECESSITY
IN VAL VERDE COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Recommendation on Sufficiency of Notice. Staff recommends that notice is sufficient and that no additional notice be required. In support thereof, Staff shows the following:

I. BACKGROUND

On April 20, 2020, Val Verde Utility Company, LLC (Val Verde) filed petition under 16 Texas Administrative Code (TAC) § 24.249 to decertify the water service area held under its Certificate of Convenience and Necessity (CCN) No. 13179 in Val Verde County. Val Verde stated that no water services have ever been provided after the CCN was initially obtained, and there have never been any customers. On August 5, 2020 and August 14, 2020, Val Verde filed proof of notice.

On August 20, 2020, Order No. 2 in this proceeding was issued, finding the petition to be administratively complete and directing Val Verde to proceed with notice as detailed in Staff's July 9, 2020 Recommendation on Administrative Completeness and Proposed Procedural Schedule. Order No. 2 also required Staff to file a recommendation on the sufficiency of notice by August 24, 2020. Therefore, this pleading is timely filed.

II. NOTICE SUFFICIENCY

Staff has reviewed the proof of notice filed by Val Verde and recommends that notice is sufficient. Specifically, Staff recommends that Val Verde has provided an *Affidavit of Notice to Current Customers, Neighboring Utilities and Affected Parties*, indicating that notice of the petition was mailed to all required individual entities on August 4, 2020, alongside a copy of the notice and mapping information sent. Additionally, Val Verde has provided a publisher's affidavit

demonstrating that notice of the petition was properly published in the *Del Rio News Herald*, a newspaper of general circulation in Val Verde County, on August 5, 2020 and August 12, 2020. All proof of notice documents were filed within 30 days of the date that notice was provided.

Staff recommends that Val Verde has satisfied all notice requirements detailed in Staff's July 9, 2020 recommendation. Therefore, Staff recommends that notice be found sufficient and that no additional notice be required.

IV. PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that notice be found sufficient, Staff proposes the following procedural schedule:

Event	Date
Deadline to intervene	September 11, 2020 ¹
Deadline to request a hearing	October 1, 2020
If no hearing is requested, deadline for Commission Staff to file a final recommendation on the petition	October 1, 2020
If no hearing is requested, deadline for parties to file a joint motion to admit evidence and proposed findings of fact, conclusions of law, and ordering paragraphs	October 22, 2020

V. CONCLUSION

Staff recommends that Val Verde's notice be found sufficient and that the above-proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

¹ Under 16 TAC § 24.235(a)(3), the intervention deadline is thirty days after the mailing or publication of notice, whichever occurs later. Notice was mailed on August 4, 2020 and published on August 5, 2020 and August 12, 2020. Thirty days after August 12, 2020 is September 11, 2020.

Dated: August 24, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/Courtney Dean
Courtney N. Dean
State Bar No. 24116269
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7235
(512) 936-7268 (facsimile)
courtney.dean@puc.texas.gov

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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 August 24, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Courtney Dean
Courtney N. Dean