

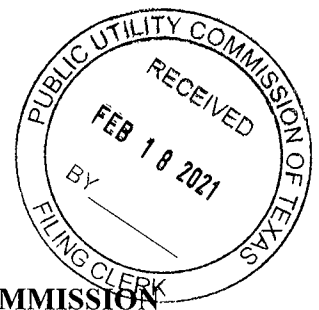


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**APPLICATION OF MUNSON POINT
PROPERTY OWNER'S ASSOCIATION
FOR AUTHORITY TO CHANGE
WATER AND SEWER RATES AND FOR
A PASS THROUGH RATE CHANGE** §
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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On October 1, 2020, Munson Point Property Owner's Association (Munson Point) filed an application for authority to change its water and sewer rates and for a pass-through rate change. Munson Point filed an amended application on December 28, 2020.

On January 19, 2021, the administrative law judge (ALJ) filed Order No. 5, which set a deadline of February 18, 2021 for the Staff of the Public Utility Commission of Texas (Staff) to file a recommendation on sufficiency of notice and, if appropriate, propose a schedule for further processing. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON SUFFICIENCY OF NOTICE

Staff has reviewed Munson Point's proof of notice and recommends that it be found sufficient. Munson Point filed proof of completed notice on February 1, 2021. Munson Point's filing included signed affidavits attesting that a copy of the notice was sent to ratepayers and other affected parties on February 1, 2021. The notice was provided using a Commission-approved form and included an effective date of April 1, 2021, which is more than 35 days after February 1, 2021. Therefore, Munson Point has substantially met the notice requirements of Texas Water Code § 13.18715 and 16 Texas Administrative Code § 24.27(d), and Staff recommends that the notice be found sufficient. Staff further recommends that Munson Point's proposed effective date of April 1, 2021 be suspended for no more than 265 under 16 TAC § 24.33(a)(2).

II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	February 1, 2021
Proposed effective date of rate change	April 1, 2021
Deadline for affected municipality to file a complaint and deadline for customer protests	June 30, 2021 ¹
Deadline for Staff to request a hearing or file a recommendation on final disposition	July 1, 2021
Deadline for applicant to respond to Staff's recommendation or, if no disputed issues exist, deadline for parties to file proposed findings of fact, conclusions of law, and ordering paragraphs	July 12, 2021
Deadline for the Commission to set the matter for a hearing on its own motion (120th day after the effective date)	July 30, 2021 ²

III. CONCLUSION

For the reasons stated above, Staff respectfully requests that Munson Point's notice be deemed sufficient, that the proposed effective date be suspended, and that the proposed procedural schedule be adopted for further processing of the application.

¹ Under 16 TAC § 24.35(c)(2), if during the first 90 days after the effective date of the rate change, the Commission receives a complaint from any affected municipality, or protests from the lesser of 1,000 or 10% of the ratepayers of the utility over whose rates the Commission has original jurisdiction, the Commission shall set the matter for hearing.

² 16 TAC § 24.35(c)(1).

Dated: February 18, 2021

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 on February 18, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander
Merritt Lander