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PUC DOCKET NO. 51407

APPLICATION OF DOS AGUAS, LLC	§	BEFORE THE
FOR A WATER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	PUBLIC UTILITY COMMISSION
WALKER, AND MONTGOMERY	§	
COUNTIES	§	OF TEXAS

DOS AGUAS, LLC’S CLARIFICATION TO MOTION FOR REHEARING

NOW COMES Dos Aguas, LLC (the “Applicant” or “Dos Aguas”), and files this clarification to Dos Aguas’ Motion for Rehearing, or in the Alternative, Motion to Remand for Additional Evidence (“Motion for Rehearing”) filed on February 2, 2022, in the above referenced Docket, Dos Aguas’ Application for a Certificate of Convenience and Necessity (“CCN”) in Walker, Montgomery, and San Jacinto counties. Dos Aguas has conferred with Commission Staff who is in agreement with this filing.

I. CLARIFICATION

Dos Aguas filed an affidavit with numerous updates on the completion of portions of the water distribution system, Water Plant Number 1, requests for service from customers, Dos Aguas’ current capability to service customers, and timelines for its capability to service future customers. In its motion for rehearing, Dos Aguas stated it was advised that its CCN application met the applicable requirements, which is evident by the Commission Staff’s final recommendation and the Administrative Law Judge’s draft proposed order. Dos Aguas also stated it was advised that providing additional information was unnecessary and could cause delay in the proceeding. Dos Aguas clarifies that the communication referenced in the motion for rehearing was procedural in nature and limited to a single question regarding the practical impact of filing additional information regarding well output after the proposed order for approval of the application had been filed. Commission Staff did not instruct Dos Aguas not to file the information, did not offer any legal advice, and advised Dos Aguas that it would need to hire its own counsel for any legal advice.

Dos Aguas has worked closely with Commission Staff and appreciates their time and assistance and looks forward to working with Staff further in the years to come.

II. CONCLUSION AND PRAYER

For all the reasons stated in Dos Aguas' Motion for Rehearing, Dos Aguas respectfully requests that the Commission grant this motion for rehearing, admit the following evidence, and grant the requested CCN.

Or in the alternative, as stated in Dos Aguas' Motion for Rehearing, Dos Aguas respectfully requests that the Commission remand the proceeding with instructions to address any issue the Commission deems in need of additional support.

Respectfully submitted,

By: 

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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been served by email on all parties of record who have provided an email address on this the 11th day of February 2022, in accordance with the Commission's Second Order Suspending Rules, issued on July 16, 2020, in Project No. 50664.


Stephen Mack