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APPLICATION OF ORBIT SYSTEMS, §
INC. FOR A CLASS D RATE §
ADJUSTMENT §

PUBLIC UTILITY COMMISSION
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OF TEXAS
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NOTICE OF APPROVAL

This Notice of Approval addresses the application of Orbit Systems, Inc., a Class D utility, for an annual rate adjustment under Texas Water Code (TWC) § 13.1872. The Commission increases Orbit Systems’ water and sewer monthly base rates, water monthly minimum charge, sewer monthly flat rate, and water and sewer gallonage charges by 5.0%, effective February 10, 2021.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Orbit Systems is a Texas corporation registered with the Texas secretary of state under file number 72981900.
2. Orbit Systems operates and maintains facilities for providing water and sewer service under water certificate of convenience and necessity (CCN) number 11982 and sewer CCN number 20682 in Brazoria County and serves 487 active water connections and 165 active sewer connections.
3. Orbit Systems operates public water systems that are registered with the Texas Commission on Environmental Quality (TCEQ) under the following identification numbers:

Identification Number	Subdivision or Facility Name
0200360	Grasslands (Airline Road Est)
0200566	Oak Meadows
0200597	Paloma Acres Subdivision
0200036	Rosharon Township
0200624	Stoneridge Lakes Subdivision
0200744	Willowbreeze Farm Subdivision

4. Orbit Systems operates the Grasslands wastewater treatment plant, which is permitted with the TCEQ under permit number WQ0012672001.

Application

5. On November 24, 2020, Orbit Systems filed the application at issue in this proceeding in which it seeks a Class D annual rate adjustment of 5.0%.
6. On December 9, 2020, Orbit Systems filed a supplement to the application.
7. Orbit Systems requested February 10, 2021 for the effective date for the rate adjustment.
8. Orbit Systems filed one prior Class D rate adjustment application in 2019.¹
9. This application is Orbit Systems' second Class D rate adjustment request.
10. In Order No. 2 filed on December 29, 2020, the administrative law judge deemed the application administratively complete and accepted for filing.

Rate Adjustment

11. Orbit Systems requested a 5.0% annual rate adjustment to its water and sewer monthly base rates, monthly metered charges, and monthly gallonage rates.
12. Orbit Systems proposed increasing its water base rate for unmetered connections as follows:

Current Water Base Rate	Proposed Water Base Rate
\$54.78	\$57.52

13. Orbit Systems proposed increasing its water monthly minimum charge for metered connections by meter size as follows:

Meter size	Current Water Monthly Minimum Charge	Proposed Water Monthly Minimum Charge
5/8" or 3/4"	\$36.75	\$38.59
1"	\$73.50	\$77.18
1 1/2"	\$183.75	\$192.94
2"	\$294.00	\$308.70
3"	\$551.25	\$578.81
4"	\$1,155.00	\$1,212.75

¹ *Application of Orbit Systems, Inc. for Authority to Change Rates*, Docket No. 50297, Corrected Notice of Approval (Apr. 6, 2020).

14. Orbit Systems proposed increasing its water gallonage charge rates as follows:

Current Water Gallonage Charges (per 1,000 gallons)	Proposed Water Gallonage Charges (per 1,000 gallons)
\$3.15	\$3.31

15. Orbit Systems proposed increasing its monthly sewer flat rate charged to customers prior to the establishment of the average consumption during the winter period as follows:

Current Sewer Flat Rate	Proposed Sewer Flat Rate
\$47.01	\$49.36

16. Orbit Systems proposed increasing its sewer monthly base rate by meter size as follows:

Meter Size	Current Sewer Monthly Base Rate	Proposed Sewer Monthly Base Rate
5/8", 3/4", or 1"	\$31.50	\$33.08

17. Orbit Systems proposed increasing its single gallonage sewer charge as follows:

Current Sewer Gallonage Charge (per 1,000 gallons)	Proposed Sewer Gallonage Charge (per 1,000 gallons)
\$3.15	\$3.31

Tariff

18. On December 28, 2020, Commission Staff filed the proposed water and sewer tariffs as attachments to its recommendation on administrative completeness and final disposition.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over the application under TWC § 13.1872.
2. Orbit Systems is a utility as defined in TWC § 13.002(23) and is a Class D utility under TWC § 13.002(4-d).
3. Under TWC § 13.1872(f), Orbit Systems may adjust its rates not more than once each year and not more than four times between rate proceedings as described by TWC § 13.1871.
4. A 5.0% increase in Orbit Systems’ monthly water base rates and gallonage rates complies with TWC § 13.1872(e)(2).
5. The Commission processed the application in accordance with the requirements of the TWC, the Administrative Procedure Act,² and Commission rules.

² Tex. Gov’t Code §§ 2001.001–.903.

6. Orbit Systems demonstrated that it has met the requirements of TWC § 13.1872 for approval of the rate adjustments.
7. Under TWC § 13.1872(c)(1), the applicant must provide notice 30 days before the effective date of the proposed change.
8. Under 16 Texas Administrative Code § 24.49(e), the applicant must provide notice after it receives a written order by the Commission approving or modifying the application.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission approves the Orbit Systems' application for a Class D annual rate adjustment, effective February 10, 2021.
2. The Commission adjusts Orbit Systems' water monthly base rate for unmetered connections to \$57.52, effective February 10, 2021.
3. The Commission adjusts Orbit Systems' water monthly minimum charge for metered connections by meter size, effective February 10, 2021, as follows:

Meter size	Water Monthly Minimum Charge
5/8" or 3/4"	\$38.59
1"	\$77.18
1 1/2"	\$192.94
2"	\$308.70
3"	\$578.81
4"	\$1,212.75


4. The Commission adjusts Orbit Systems' water gallonage charge to \$3.31 per 1,000 gallons, effective February 10, 2021.
5. The Commission adjusts Orbit Systems' monthly sewer flat rate charged to customers prior to the establishment of the average consumption during the winter period to \$49.36, effective February 10, 2021.
6. The Commission adjusts Orbit Systems' sewer monthly base rate by meter size, effective February 10, 2021, as follows:

Meter size	Sewer Monthly Base Rate
5/8", 3/4", or 1"	\$33.08

7. The Commission adjusts Orbit Systems' single gallonage sewer charge to \$3.31 per 1,000 gallons, effective February 10, 2021.
8. The Commission approves the water and sewer tariffs attached Commission Staff's December 28, 2020 recommendation on administrative completeness and final disposition.
9. Within ten days of the date of this Notice of Approval, Commission Staff must file a clean copy of the tariff, with the approved effective date, with central records to be marked *Approved* and kept in the Commission tariff book.
10. Orbit Systems must, by January 11, 2021, provide to each ratepayer by mail, or by electronic mail if the ratepayer has agreed to receive communications electronically, notice of the rate adjustment with the new effective date of February 10, 2021, using the form attached to Commission Staff's recommendation on administrative completeness and final disposition filed on December 28, 2020.
11. By January 15, 2021, Orbit Systems must file proof that it has provided notice as specified above.
12. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 5 day of January 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



KATIE MOORE
ADMINISTRATIVE LAW JUDGE