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Received - 2021-08-23 01:31:39 PM
Control Number - 52172
ItemNumber - 8

DOCKET NO. 52172

APPLICATION OF AQUA TEXAS, INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY IN COLLIN COUNTY	§ § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On May 27, 2021, Aqua Texas, Inc. (Aqua Texas) filed an application to amend its certificate of convenience and necessity (CCN) in Collin County. Aqua Texas holds water CCN No. 13201. The requested service area consists of 138 acres, zero existing connections, and 924 proposed connections. Aqua Texas filed supplemental information on June 23, 2021.

On June 28, 2021, the administrative law judge filed Order No. 2, which established a deadline of August 23, 2021, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of notice and propose a procedural schedule. This pleading therefore is timely filed.

I. SUFFICIENCY OF NOTICE

Staff has reviewed the proof of notice filed by Aqua Texas on July 27, 2021. Aqua Texas filed a publisher's affidavit and tear sheet showing that notice was published in the *McKinney Courier Gazette*, a newspaper of general circulation in Collin County, on July 4 and 11, 2021. Aqua Texas filed the publisher's affidavit in the docket within 30 days of the last publication date.

Aqua Texas also filed an affidavit attesting to the provision of notice to current customers, neighboring utilities, and affected parties on June 30 and July 1, 2021, along with a list of the entities noticed and a copy of the notice and maps sent. Aqua Texas filed the affidavit in the docket within 30 days of the date of notice. Staff has reviewed Aqua Texas's proof of notice and recommends that Aqua Texas provided notice in accordance with Staff's Recommendation on Administrative Completeness and Notice filed on June 28, 2021 and 16 Texas Administrative Code § 24.235. Therefore, Staff recommends that Aqua Texas's notice be deemed sufficient.

II. PROCEDURAL SCHEDULE

Based on its recommendation that notice be found sufficient, Staff proposes the following procedural schedule for further processing of the docket:

Event	Date
Notice completed	July 11, 2021
Deadline to intervene	August 10, 2021 ¹
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable), to the applicant for review and consent	September 9, 2021
Deadline for Aqua Texas to file signed consent forms with the Commission	September 23, 2021
If no hearing is requested, deadline for Commission Staff to file a final recommendation on the application	September 30, 2021
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	October 7, 2021

III. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that notice be found sufficient. Staff further requests adoption of the proposed procedural schedule.

¹ Under 16 TAC § 24.235(a)(3), the intervention period is 30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer. Notice was mailed on June 30 and July 1, 2021, and published on July 4 and 11, 2021. Therefore, 30 days after July 11, 2021 is August 10, 2021.

Dated: August 23, 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 August 23, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander
Merritt Lander