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Received - 2021-08-25 09:59:38 AM

Control Number - 52197

ItemNumber - 11

DOCKET NO. 52197

**APPLICATION OF AQUA TEXAS, INC. § PUBLIC UTILITY COMMISSION
TO AMEND A CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN § OF TEXAS
WILLIAMSON COUNTY §**

**COMMISSION STAFF'S RECOMMENDATION ON NOTICE AND PROPOSED
PROCEDURAL SCHEDULE**

I. BACKGROUND

On June 1, 2021, Aqua Texas, Inc. (Aqua Texas) filed an application to amend its sewer Certificate of Convenience and Necessity (CCN) number 21116 in Williamson County. The requested service area consists of 127 acres and 0 current customers. Aqua Texas filed confirmation of mailed notice on July 2 and July 27, 2020.

On July 1, 2021, Order No. 2 was filed, requiring Staff to file a recommendation on sufficiency of notice and to propose a procedural schedule by August 25, 2021. This pleading, therefore, is timely filed.

II. 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 Williamson County Sun, a newspaper of general circulation in William County, on July 7 and 14, 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 July 2, 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 July 1, 2021 and 16 Texas Administrative Code § 24.235. Therefore, Staff recommends that Aqua Texas's notice be deemed sufficient.

III. PROPOSED 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 14, 2021
Deadline to intervene	August 13, 2021 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Aqua Texas for review and consent	September 10, 2021
Deadline for Aqua Texas to file signed consent forms with the Commission	September 24, 2021
If no hearing is requested, deadline for Staff to file a final recommendation on the petition	October 1, 2021
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	October 8, 2021

IV. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

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 July 2, 2021 and published on July 7 and 14, 2021. Therefore, 30 days after July 14, 2021 is August 13, 2021.

Dated: August 25, 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 25, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann