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DOCKET NO. 52384

APPLICATION OF SAMUEL SLEDGE	§	PUBLIC UTILITY COMMISSION
TO CANCEL AN EXEMPT UTILITY	§	
REGISTRATION AND SHARON	§	OF TEXAS
PEACH TO OBTAIN AN EXEMPT	§	
UTILITY REGISTRATION	§	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRAVE
COMPLETENESS OF UPDATED APPLICATION**

On August 3, 2021, Sharon Peach (Ms. Peach) and Samuel Sledge (Mr. Sledge) (collectively, Applicants), as Executrix of the Estate of Verna B. Sledge, filed an application to cancel an exempt utility registration number N0078 and request a new exempt utility registration for Ms. Peach.

On January 19, 2023, the administrative law judge filed Order No. 11, directing Commission Staff (Staff) to file a recommendation on the updated application and propose a procedural schedule for the further processing of the application by March 1, 2023. Therefore, this pleading is timely filed.

I. STAFF’S RECOMMENDATION

As detailed in the attached memorandum of Patricia Garcia of the Commission’s Infrastructure Division, Staff recommends that although the mapping provided is sufficient, the application is incomplete. Specifically, Applicants should file a statement regarding how previous customers are receiving currently receiving water service and if they were provided notice. Therefore, Staff recommends that Applicants be ordered to cure the deficiencies identified in Ms. Garcia’ memorandum by March 15, 2023 and that Staff be given a deadline of April 3, 2023 to file a supplemental recommendation on the updated application and propose a procedural schedule for the further processing of the application.

II. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively incomplete, and that Applicants be ordered to file supplemental information to

cure the deficiencies in the application by March 15, 2023. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: March 1, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

Sneha Patel
Managing Attorney

/s/Mildred Anaele
Mildred Anaele
State Bar No. 24100119
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7345
(512) 936-7268 (facsimile)
Mildred.Anaele@puc.texas.gov

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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 via electronic mail on March 1, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Mildred Anaele
Mildred Anaele

Public Utility Commission of Texas

Memorandum

TO: Mildred Anaele, Attorney
Legal Division

FROM: Patricia Garcia, Infrastructure Analysis Section Director
Infrastructure Division

DATE: March 1, 2023

RE: Docket No. 52384 – *Application of Samuel Sledge to Cancel an Exempt Utility Registration and Sharon Peach to Obtain an Exempt Utility Registration*

On August 2, 2021, Sharon Peach (Ms. Peach), Executrix of the Estate of Verna B. Sledge, and Samuel Sledge (Mr. Sledge) filed a letter requesting the cancellation of an exempt utility in Harris County. The application was reviewed under 16 Texas Administrative Code (TAC) § 24.229(e), a utility is exempt from the requirement to possess a certificate of convenience and necessity (CCN) in order to provide retail water service if it has less than 15 potential service connections. The exempt utility, Samuel Sledge dba 1118-1/2 SO Main Street Highlands (Highlands) registration N0078, originally served 14 connections. Ms. Peach asserts there are six active non-metered water connections.

On January 19, 2023, an amended application including revised maps. The revised application indicated that Highlands had ceased charging for water on April 2020 and ceased operations in December 2022 including turning off the water supply main.

Based on the mapping review by Tracy Montes, Infrastructure Division, the maps submitted with Item 28 on January 19, 2023 are sufficient.

Under 16 TAC § 24.229(e)(8), “an exempt water utility may not discontinue service to a customer with or without notice except in accordance with its commission approved exempt-utility tariff.” The tariff issued by the Commission indicates “The utility may permanently disconnect service to an existing customer only if authorized to in writing by the Commission after notice has been issued.” I will need some additional information to make the determination on the discontinuance of service provided to the requested area. Please provide a statement regarding how previous customers are receiving currently receiving water service and if they were provided notice.