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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 SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS OF UPDATED APPLICATION, REQUEST TO
RESTYLE DOCKET AND PROPOSED PROCEDURAL SCHEDULE**

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 April 5, 2023, the administrative law judge filed Order No. 13, 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 May 1, 2023. Therefore, this pleading is timely filed.

I. STAFF'S RECOMMENDATION

On April 3, 2023, a second amended petition to cancel registration was filed. After review and as detailed in the attached memorandum of Patricia Garcia of the Commission's Infrastructure Division, Staff recommends that the mapping provided are sufficient and the application is now administratively complete. Staff recommends that notice is not necessary in this docket as there are no customers being served by the Applicant.

II. REQUEST TO RESTYLE DOCKET

Staff requests a restyling of the docket from "*Application of Samuel Sledge to Cancel an Exempt Utility Registration and Sharon Peach to Obtain an Exempt Utility Registration*" to "*Application of Samuel Sledge dba 1118-1/2 SO Main Street Highlands to Cancel an Exempt Utility Registration.*"

III. PRORPOSED PROCEDURAL SCHEDULE

Staff proposes a deadline of June 2, 2023 to file a final recommendation.

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively complete. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: May 1, 2023

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Lopez Wagley
Interim Division Director

/s/Sneha Patel
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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 May 1, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Sneha Patel
Sneha Patel

Public Utility Commission of Texas

Memorandum

TO: Sneha Patel, Attorney
Legal Division

FROM: Patricia Garcia, Infrastructure Analysis Section Director
Infrastructure Division

DATE: May 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.

On January 19, 2023, an amended application including revised maps was filed by Eric D'Olive on behalf of the Highlands. 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.

Staff requests a restyling of the docket from “*Application of Samuel Sledge to Cancel an Exempt Utility Registration and Sharon Peach to Obtain an Exempt Utility Registration*” to “*Application of Samuel Sledge dba 1118-1/2 SO Main Street Highlands to Cancel an Exempt Utility Registration.*”

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

The requested area includes 0 customer connections and approximately 8 acres to be cancelled for the Exempt utility registration No. N0078.

The tariff issued to the Highlands 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.”

On April 3, 2023, Mr. D'Olive submitted a statement including information about the former operators, when the exempt utility stopped charging for water, and when notice was provided to customers. The former operators, Mr. Sledge and Ms. Peach are elderly and unable to continue operating the exempt utility. The Highlands ceased charging for water in April 2020 and on October 12, 2021 notice was mailed to customers stating that the Highlands would cease providing water by December 31, 2021. Service continued through December 31, 2022 until all customers had secured another water source. Six of the former customers drilled wells. Three of the former customers drilled a well and share the service from this well between themselves.

Based on my review of the documentation submitted and the mapping review by Ms. Montes, I recommend that the application is administratively complete.