



## Filing Receipt

**Received - 2022-01-20 09:56:51 AM**  
**Control Number - 52384**  
**ItemNumber - 9**

**DOCKET NO. 52384**

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

**COMMISSION STAFF’S SUPPLEMENTAL RECOMMENDATION ON  
ADMINISTRATIVE COMPLETENESS AND NOTICE AND PROPOSED  
PROCEDURAL SCHEDULE**

On August 2, 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 December 30, 2021, the administrative law judge (ALJ) filed Order No. 4, establishing a deadline of January 20, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments regarding the application, including whether it is administratively complete; recommendations regarding notice; under what applicable law this proceeding was filed and would be processed; how the application should be processed; and to propose a procedural schedule, if appropriate by January 20, 2022. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application, and as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the application be found administratively incomplete. Specifically, Staff has identified deficiencies from a mapping perspective, and applicants must file a new, separate application in order to obtain a new exempt utility registration number. Staff further recommends that Applicants be ordered to cure the deficiencies identified in Ms. Garcia’s memorandum by February 3, 2022 and that Staff be given a deadline of March 10, 2022 to file a third supplemental recommendation on the administrative completeness of the application.

## **II. PROCEDURAL SCHEDULE**

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation that the application be found administratively complete.

## **III. 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 February 3, 2022. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 20, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

/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

**DOCKET NO. 52384**

**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 January 20, 2022, 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, Senior Engineering Specialist  
Infrastructure Division

**DATE:** January 20, 2022

**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, 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.

Based on the mapping review by Tracy Montes, Infrastructure Division, and my technical and managerial review of the information filed by Ms. Peach and Mr. Sledge, I recommend that the application be deemed administratively incomplete and not accepted for filing.

### **Application Content:**

An exempt utility registration application must be submitted in order for the Commission to assign a new exempt utility number for the area where the six active connections are located. The exempt utility registration application can be found at:

[https://puc.texas.gov/industry/water/Forms/Exempt\\_Utility\\_Form.pdf](https://puc.texas.gov/industry/water/Forms/Exempt_Utility_Form.pdf)

### **Mapping Content:**

The mapping documentation submitted on August 3, 2021 is deficient. As indicated in the application, Ms. Peach is seeking a portion of the existing exempt utility belonging to Mr. Sledge (N0078). The general location and detailed maps must include a scalebar and must clearly identify the requested area they are seeking the exempt utility. The digital data provided must mirror the requested area shown on the maps.

Ms. Peach must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends Ms. Peach and Mr. Sledge obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes by email at [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov) to resolve the mapping deficiencies.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by Ms. Peach and Mr. Sledge and draft a recommendation.