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DOCKET NO. 52391

APPLICATION OF LIBERTY COUNTY	§	PUBLIC UTILITY COMMISSION
UTILITIES, LLC FOR WATER AND	§	
SEWER CERTIFICATES OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
LIBERTY COUNTY	§	

COMMISSION STAFF’S RESPONSE TO ORDER NO. 13

On August 5, 2021, Liberty County Utilities, LLC (Liberty County) filed an application to obtain a water and sewer certificate of convenience and necessity (CCN) in Liberty County, Texas under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245(h). Liberty County filed supplemental information on August 6, 2021, October 5, 2021, October 6, 2021, November 29, 2021, February 21, 2022, March 2, 2022, March 30, 2022 and November 21, 2022.

On December 9, 2022, the administrative law judge (ALJ) filed Order No. 13, establishing a deadline of January 6, 2023 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation regarding the sufficiency of Liberty County’s filing. Therefore, this pleading is timely filed.

I. STAFF’S RECOMMENDATION

On November 21, 2022, Liberty County filed its Response to Order Remanding Proceeding to Docket Management. Staff has reviewed Liberty County’s filing and, as detailed in the memorandum of Ethan Blanchard of the Commission’s Rate Regulation Division, Staff recommends that the filing is sufficient and application be approved.

II. SUPPLEMENTAL MOTION TO ADMIT EVIDENCE

Staff requests the entry of the following item into the record of this proceeding:

- A. Commission Staff’s Response to Order No. 13, filed on January 6, 2023 (Interchange Item No. 50).

III. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that Liberty County's filing be found sufficient and its application be approved. Further, Staff respectfully requests that the item listed above be admitted into the record of this proceeding as evidence.

Dated: January 6, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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Division Director

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/s/Mildred Anaele
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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 January 6, 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
Legal Division

FROM: Ethan Blanchard
Rate Regulation Division

DATE: January 6, 2023

RE: Docket No. 52391 – *Application of Liberty County Utilities, LLC for Water and Sewer Certificates of Convenience and Necessity in Liberty County*

On August 5, 2021, Liberty County Utilities, LLC filed an application to for new water and sewer certificates of convenience and necessity (CCN) Subchapter G of Texas Water Code Chapter 13. On October 20, 2022, the docket was remanded by the Commission to Docket Management requiring supplemental documentation.

I reviewed the answers provided to questions 28, 29, 30, and 31 of the application and the applicant's supplemental filings. I recommend that the Commission deem the application administratively complete and sufficient for further review from a financial perspective.