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DOCKET NO. 52644

**PETITION OF AQUA TEXAS, INC. FOR § PUBLIC UTILITY COMMISSION
PARTIAL DECERTIFICATION OF ITS §
CERTIFICATES OF CONVENIENCE § OF TEXAS
AND NECESSITY IN HARRIS COUNTY §**

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

On September 27, 2021, Aqua Texas, Inc. (Aqua Texas) filed an application to amend its certificate of convenience and necessity (CCN) in Harris County. Aqua Texas seeks approval to decertify a portion of its water CCN No. 13203 and sewer CCN No. 21065. Aqua Texas filed supplemental information on September 28 and November 9, 2021.

On October 28, 2021, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of November 23, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Staff) to file supplemental comments on the administrative completeness of the application and proposed notice and to propose a procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the application is administratively complete.

II. NOTICE

Staff has reviewed the notice documentation filed by Aqua Texas on November 9, 2021. Aqua Texas provided the affidavit of Robert L. Laughman, President of Aqua Texas, attesting that notice was provided to all landowners, neighboring utilities, political subdivisions, and other persons on November 9, 2021. Aqua Texas also provided the maps and a copy of the notice, consistent with Staff's recommendation filed on October 27, 2021. Therefore, Staff recommends that Aqua Texas's notice be found sufficient.

III. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Notice completed	November 9, 2021
Deadline for intervention	December 9, 2021 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Aqua Texas for review and consent	January 10, 2021
Deadline for Aqua Texas to file signed consent forms with the Commission	January 24, 2021
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	February 3, 2021
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusion of law	February 14, 2021

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the supplemented application be found administratively complete and respectfully requests the issuance of an order consistent with the foregoing recommendation.

¹ Under 16 TAC § 24.235(a)(3), the intervention period shall not be less than thirty (30) days unless good cause is shown. Notice was mailed on November 9, 2021. Therefore, thirty (30) days after November 9, 2021 is December 9, 2021.

Dated: November 23, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Forrest Smith
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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 November 23, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith

Public Utility Commission of Texas

Memorandum

TO: Forrest Smith, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: November 22, 2021

RE: Docket No. 52644 – *Petition of Aqua Texas, Inc. for Partial Decertification of its Certificates of Convenience and Necessity in Harris County*

On September 27, 2021, Aqua Texas, Inc. (Aqua Texas) filed a petition to decertify a portion of its water Certificate of Convenience and Necessity (CCN) No. 13203 and sewer CCN No. 21065 in Harris County, Texas under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245.

The requested area includes 0 customer connections and approximately 57 acres, comprised of 57 acres of decertified area from CCN Nos. 13203 & 21065.

The petition proposes the subtraction of approximately 57 acres from CCN Nos. 13203 & 21065.

Based on the mapping review by Gary Horton, Infrastructure Division, the maps submitted on September 27, 2021 are sufficient. Based on my technical and managerial review of the information filed by Aqua Texas, I recommend that the application be deemed administratively complete.

On November 9, 2021, Aqua Texas submitted additional documentation to satisfy the notice requirements under 16 TAC § 24.245(d)(2)(A).