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DOCKET NO. 52693

PETITION OF ROSENDO L. GARCIA,	§	PUBLIC UTILITY COMMISSION
ISABEL R. GARCIA AND NICHOLAS	§	
R. GARCIA TO AMEND AQUA	§	OF TEXAS
WATER SUPPLY CORPORATION’S	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN BASTROP	§	
COUNTY BY EXPEDITED RELEASE	§	

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

On October 12, 2021, Rosendo L. Garcia, Isabel R. Garcia, and Nicholas R. Garcia (collectively, Garcia) filed a petition for streamlined expedited release from Aqua Water Supply Corporation’s (Aqua WSC) certificate of convenience and necessity (CCN) number 20962 under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Garcia asserts that the land to be released is at least 25 contiguous acres, is not receiving sewer service, and is located in Bastrop County, which is a qualifying county.¹

On November 15, 2021, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of January 13, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the sufficiency of the supplemented petition and propose a procedural schedule. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

To date, Garcia has not responded to insufficiencies noted in Staff’s November 12, 2021 filing. Staff recommends Garcia be ordered to cure the deficiencies identified by Staff by February 14, 2022. Staff further recommends that it be given a deadline of March 16, 2022 to file a supplemental recommendation on the administrative completeness of the application. Staff respectfully notes that some of the noted deficiencies are related to mapping information, and therefore Staff’s mapping experts may be required to assist the Garcia’s regarding the supplemental mapping information needed to cure the mapping deficiencies. Therefore, Staff will require at least thirty days to review the same, resulting in Staff’s requested deadline of March 16, 2022.

¹ TWC § 13.2541(b) and 16 TAC § 24.245(h)(2).

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 petition be found administratively complete.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, that Garcia be ordered to file supplemental information to cure the deficiencies in the petition by February 14, 2022, and that Staff be given a deadline of March 16, 2022 to file a supplemental recommendation on the administrative completeness of the Application. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 13, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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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 on January 13, 2022 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Bradley Reynolds
Bradley Reynolds