



Filing Receipt

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DOCKET NO. 53006

APPLICATION OF UA HOLDINGS	§	PUBLIC UTILITY COMMISSION
1994-5 LP DBA SC UTILITIES FOR A	§	
CLASS D RATE ADJUSTMENT FOR	§	OF TEXAS
THE MEADOW VISTA BUSINESS	§	
PARK	§	

ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS
AND NOTICE, AND ADDRESSING PROCEDURAL MATTERS

This Order addresses the December 21, 2021 application of UA Holdings 1994-5 LP dba SC Utilities for a class D rate adjustment for the Meadow Vista Business Park under its sewer certificate of convenience and necessity (CCN) numbers 20586. The application indicates there are 15 current active sewer connections.

**I. Requiring Recommendations on Administrative Completeness
of the Application, Notice, and Other Matters**

By January 20, 2022, Commission Staff must file comments on the administrative completeness of the application and notice. Further, if Commission Staff recommends that the application be deemed administratively complete, Commission Staff must also file a recommendation on final disposition, including, if necessary, a proposed tariff sheet reflecting the requested rate change.

The application is filed by “UA Holdings 1994-5 LP dba SC Utilities.” It appears that the CCNs in question are held by “SC Utilities.” By January 20, 2022, Commission Staff must recommendation as to who is the correct applicant and whether this matter should be restyled.

II. Number of Connections

By January 6, 2022, the applicant must identify the total number of: (1) water connections for every system owned and operated by the applicant, including any system listed in Docket Nos. 53006, 53007, and 53008; and (2) sewer connections for every system owned and operated by the applicant, including any system listed in Docket Nos. 53006, 53007, and 53008.

III. Consolidation

Under 16 Texas Administrative Code (TAC) § 22.34, the administrative law judge (ALJ) may, with prior notice to the parties, order the consolidation of proceedings on his or her own initiative. This Order constitutes prior notice to the parties that the ALJ intends to consolidate Docket Nos. 53006, 53007, and 53008. This proceeding is one of three filed by UA Holdings seeking a 5% class D rate adjustment. The other two dockets, Docket Nos. 53007 and 53008, are apparently for different subdivisions or properties where UA Holdings provides water or sewer service. Under Texas Water Code (TWC) § 13.1872, it is the utility, not the subdivision served by the utility, that can apply for a 5% class D rate adjustment. Moreover, under TWC § 13.1872(f) the utility may only apply for one 5% class D rate adjustment per year. In Docket Nos. 53006, 53007, and 53008, UA Holdings has applied for three 5% class D rate adjustments this year.

By January 6, 2022, UA Holdings must file a response to the ALJ's notice of intent to consolidate. Commission Staff must do the same by January 20, 2022.

IV. Discovery

Discovery may proceed informally; however, objections to requests for information (RFIs) must be electronically filed and served within 10 days of receiving the RFI.¹ Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be electronically filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

V. Filing Requirements

Service of pleadings is typically governed by 16 Texas Administrative Code (TAC) § 22.74. However, the Commission has issued a Second Order Suspending Rules, which has suspended the service requirements found in 16 TAC § 22.74.² As long as the Second Order Suspending Rules remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed

¹ See *Issues Related the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (Jul. 16, 2020).

² *Id.*

with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange

All parties are required to provide their current address, telephone and fax numbers, and **e-mail address**, if available, to the Commission and all other parties by electronically filing and serving all parties with such information. Each party must provide the Commission and all other parties with updated address, telephone, fax, and **e-mail address** information, if such information changes. The telephone and fax numbers will be placed on the service list for this proceeding. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

VI. Ex Parte Communications

In accordance with 16 TAC § 22.3(b)(2), *ex parte* communications with the administrative law judge and presiding officer are prohibited. Parties must communicate with the ALJ only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 22nd day of December 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



**HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE**