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DOCKET NO. 53068

APPLICATION OF SIMPLY AQUATICS INC. FOR A CLASS D RATE ADJUSTMENT	§ § §	PUBLIC UTILITY COMMISSION OF TEXAS
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**COMMISSION STAFF’S SECOND SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND RECOMMENDATION
ON FINAL DISPOSITION**

On January 10, 2022, Simply Aquatics Inc. (Simply Aquatics) filed an application for a Class D rate adjustment under Texas Water Code (TWC) § 13.1872 and 16 Texas Administrative Code (TAC) § 24.49 under its Certificate of Convenience and Necessity (CCN) No. 13259.

On February 28, 2022, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline of March 25, 2022, for Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the sufficiency of the application and notice, and propose a procedural schedule, if appropriate. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

To date, Simply Aquatics has not responded to insufficiencies noted in Staff’s filing dated February 23, 2022. Staff recommends the application remains administratively incomplete and be deemed insufficient for further processing at this time. Staff further recommends that Simply Aquatics be ordered to cure the deficiencies identified in Ms. Gilford's memorandum by April 25, 2022, and that Staff be given a deadline of May 25, 2022, to file a supplemental recommendation on final disposition if Staff recommends that the application be deemed administratively complete.

II. CONCLUSION

For the reasons discussed above, Staff recommends that the application be found administratively incomplete. Staff further recommends that the procedural schedule proposed above be adopted for further processing of this docket.

Dated: March 25, 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 March 25, 2022 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Bradley Reynolds
Bradley Reynolds