



Control Number: 53335



Item Number: 13

Peter M. Lake
Chairman

Will McAdams
Commissioner

Lori Cobos
Commissioner

Jimmy Glotfelty
Commissioner

Kathleen Jackson
Commissioner



Greg Abbott
Governor
Thomas J. Gleeson
Executive Director
2023 JAN -6 PM 12:53
PUBLIC UTILITY COMMISSION
FILING CLERK

Public Utility Commission of Texas

TO: Chairman Peter M. Lake
Commissioner Will McAdams
Commissioner Lori Cobos
Commissioner Jimmy Glotfelty
Commissioner Kathleen Jackson

All Parties of Record

FROM: Stephen Journey, Commission Counsel

DATE: 6 January 2023

RE: January 26, 2023 Open Meeting – Item No. XX
Docket No. 53335 – *Application of the City of Bangs to Amend Its Certificate of Convenience and Necessity and for Dual Certification with Brookesmith Special Utility District in Brown County*

A proposed order in the above-referenced docket is posted for consideration and action by the Commission. If the Commission approves the revised proposed order, I recommend the following changes

Finding of fact 7 should be modified for accuracy.

7. In the second Order No. 32 filed on June 10, 2022, the ALJ again found the application deficient and directed Bangs to cure the deficiencies by July 11, 2022.

Finding of fact 8 should be modified for accuracy.

8. Bangs did not respond to the second Order No. 23.

Finding of fact 11 should be modified to frame it as a proper finding of fact.

11. On October 12, 2022, Commission Staff filed a motion to dismiss the application ~~under 16 TAC § 22.181(d)(7)~~ for failure to amend the

application such that it is sufficient after repeated determinations that the application is insufficient.

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the Citation and Style Guide for the Public Utility Commission of Texas and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

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