



## Filing Receipt

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**DOCKET NO. 53335**

<b>APPLICATION OF THE CITY OF</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>BANGS TO AMEND ITS CERTIFICATE</b>	<b>§</b>	
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	
<b>AND FOR DUAL CERTIFICATION</b>	<b>§</b>	<b>OF TEXAS</b>
<b>WITH BROOKESMITH SPECIAL</b>	<b>§</b>	
<b>UTILITY DISTRICT IN BROWN</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

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

On March 11, 2022, the City of Bangs (Bangs) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 11093 and for dual certification with Brookesmith Special Utility District (Brookesmith SUD) in Brown County, Texas under Texas Water Code (TWC) §§ 13.242 through 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 through 24.237.

On April 13, 2022, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of June 10, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation regarding the administrative completeness of the application, along with a procedural schedule, if appropriate. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application, and as detailed in the memoranda of Fred Bednarski of the Commission’s Rate Regulation Division and Patricia Garcia of the Commission’s Infrastructure Division, which were attached to Staff’s April 11, 2022 recommendation on administrative completeness, Staff recommends that the application is administratively incomplete. Staff further recommends that Bangs be ordered to cure the deficiencies listed in the previous memorandum by July 11, 2022, and that Staff be given a deadline of August 11, 2022 to file a supplemental recommendation on the administrative completeness of the application.

## **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 application be found administratively complete. Staff notes that Bangs should not issue notice until the application is deemed sufficient.

## **III. CONCLUSION**

For the reasons detailed above, Staff recommends that the application be found administratively incomplete and that Bangs be ordered to file supplemental information to cure the deficiencies in the application by July 11, 2022, and that Staff be given a deadline of August 11, 2022 to file a supplemental recommendation on administrative completeness. Staff respectfully requests the entry of an order consistent with the foregoing recommendation.

Dated: June 8, 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 via electronic mail on June 8, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Merritt Lander  
Merritt Lander