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DOCKET NO. 53335

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

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

On March 11, 2022, the City of Bangs (Bangs) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 11093 and for dual certification with Brookesmith Special Utility District (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 June 10, 2022, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of August 11, 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

To date, Bangs has failed to provide a response to Staff’s recommendation filed April 11, 2022, from Fred Bednarski, Rate Regulation Division, and Patricia Garcia, Infrastructure Division. Staff recommends that the application remains administratively incomplete. Staff further recommends that Bangs be ordered to cure the deficiencies listed in the previous memorandum by September 12, 2022, and that Staff be given a deadline of October 12, 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, that Bangs be ordered to file supplemental information to cure the deficiencies in the application by September 12, 2022, and that Staff be given a deadline of October 12, 2022 to file a supplemental recommendation on administrative completeness. Staff respectfully requests the entry of an order consistent with the foregoing recommendation.

Dated: August 11, 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 August 11, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Bradley Reynolds
Bradley Reynolds