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

ORDER NO. 4
FINDING APPLICATION DEFICIENT, ESTABLISHING
DEADLINES AND OPPORTUNITY TO CURE

This Order addresses the sufficiency of the March 11, 2022 application of the City of Bangs to amend its water certificate of convenience and necessity (CCN) number 11093 and for dual certification with Brookesmith Special Utility District, CCN number 10435 in Brown County.

The administrative law judge (ALJ) continues to find the application administratively incomplete and deficient. Under 16 Texas Administrative Code § 24.8(d), the Commission does not consider an application filed until it makes a determination that it is administratively complete. Thus, at this time the application is not considered filed with the Commission.

By September 12, 2022, the applicants must supplement the petition to cure the deficiencies as described in the April 11, 2022, memorandums of Fred Bednarski III and Patricia Garcia. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The applicants must not issue notice until the petition is deemed administratively complete.

By October 12, 2022, Commission Staff must file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate. If Bangs fails to cure the deficiencies, the ALJ will entertain a motion to dismiss the application.

Signed at Austin, Texas the 12th day of August 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'G. Siemankowski', is written over a horizontal line.

GREGORY R. SIEMANKOWSKI
ADMINISTRATIVE LAW JUDGE