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DOCKET NO. 53494

APPLICATION OF RIO CONCHO	§	PUBLIC UTILITY COMMISSION
AVIATION INC. FOR A CLASS D RATE	§	
ADJUSTMENT	§	OF TEXAS

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS**

On April 14, 2022, Rio Concho Aviation Inc. (Rio Concho) filed an application for a Class D rate adjustment (Application) for its public water system, under Texas Water Code (TWC) § 13.1872 and 16 Texas Administrative Code (TAC) § 24.49. Rio Concho holds water Certificate of Convenience and Necessity (CCN) No. 12835.

On April 19, 2022, the administrative law judge issued (ALJ) Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the administrative completeness of the Application and notice by May 16, 2022. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum of James Oneneke of the Rate Regulation Division, Staff has reviewed the Application and recommends that it be found administratively incomplete at this time. Staff recommends that Rio Concho be ordered to cure the deficiencies identified in the attached memorandum by May 30, 2022, and that Staff be given a deadline of June 13, 2022 to file a supplemental recommendation on the administrative completeness of the Application and notice and a recommendation on final disposition including a tariff, if appropriate.

II. CONCLUSION

For the reasons stated above, Staff recommends that the Application be deemed administratively incomplete, that Rio Concho be ordered to cure the deficiencies in the petition by May 30, 2022 and that Staff be given a deadline of June 13, 2022 to file a supplemental recommendation on the administrative completeness of the Application and notice and a recommendation on final disposition including a tariff, if appropriate. Staff respectfully request the entry of an order consistent with these recommendations.

Dated: May 16, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Arnett D. Caviel
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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 May 16, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Arnett D. Caviel
Arnett D. Caviel

Public Utility Commission of Texas

Memorandum

TO: Arnett Caviel, Attorney
Legal Division

FROM: James Onyeneke, Regulatory Accountant
Rate Regulation Division

DATE: May 16, 2022

RE: **Docket No. 53494-** *Application of Rio Concho Aviation Inc. for a Class D Annual Rate Adjustment*

On April 14, 2022, Rio Concho Aviation Inc., (Rio Concho), filed an application for a Class D rate adjustment for its public water system No. 2200330, under Certificate of Convenience and Necessity (CCN) No. 12835. Under Texas Water Code (TWC) § 13.1872, a utility may request an annual increase to its tariffed rates of no more than 5%. A utility may adjust its rates under TWC § 13.1872 not more than once a year and not more than four times between rate proceedings described under TWC § 13.1871. Rio Concho's current application requests approval to adjust its water monthly meter charge and monthly gallonage rate by 5%.

Based on a review of the information submitted in the application, I determined that the application is not administratively complete. To be administratively complete, I request that Rio Concho submit the following:

1. Rio Concho must file the previously approved tariff (rate pages only) that show the correct rates as approved in Docket No. 50724.
2. Rio Concho must update page 2 of the application to indicate "zero" as the "Gallons Included".
3. Rio Concho must update page 2 of the notice to indicate that the proposed minimum monthly charges include "zero" gallons.