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DOCKET NO. 53687

APPLICATION OF SP UTILITY	§	PUBLIC UTILITY COMMISSION
COMPANY, INC. FOR A CLASS D	§	
RATE ADJUSTMENT	§	OF TEXAS

**COMMISSION STAFF’S COMMENTS ON ADMINISTRATIVE COMPLETENESS
AND NOTICE**

On June 6, 2022, SP Utility Company, Inc. (SP Utility) filed an application for a Class D rate adjustment for water Certificate of Convenience and Necessity (CCN) No. 12978 under Texas Water Code (TWC) § 13.1872 and 16 Texas Administrative Code (TAC) § 24.49. On July 1, 2022, SP Utility filed supplemental information.

On June 7, 2022, the administrative law judge (ALJ) filed Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the application and notice by July 7, 2022. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Kathryn Eiland, Rate Regulation Division, recommends that the application is administratively incomplete. Staff further recommends that SP Utility be ordered to cure the deficiencies identified in Ms. Eiland’s memorandum by July 21, 2022 and that Staff be given a deadline of August 4, 2022 to file a supplemental recommendation on the administrative completeness of the application and notice

II. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively incomplete and that SP Utility be ordered to file supplemental information to cure the deficiencies in the application by July 21, 2022 and that Staff be given a deadline of August 4, 2022 to file a supplemental recommendation on the administrative completeness of the application and notice. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: July 7, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

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/s/ Arnett 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 July 7, 2022 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Arnett Caviel
Arnett D. Caviel

Public Utility Commission of Texas

Memorandum

TO: Arnett Caviel, Attorney
Legal Division

FROM: Kathryn Eiland, Regulatory Accountant
Rate Regulation Division

DATE: July 7, 2022

RE: Docket No. 53687 – *Application of SP Utility Company, Inc. for a Class D Rate Adjustment*

On June 6, 2022, SP Utility Company, Inc. (SP Utility) filed an application for a Class D rate adjustment. Based upon my review of the information in the application, the following deficiencies are noted.

1. Page 3 of the “Class D Water or Sewer Utility Request for an Annual Rate Adjustment” provides a CCN number 12085 for water. Page 1 of the "Notice of Approved Utility Annual Rate Adjustment" provides a CCN number 12978 for water. Please clarify the CCN number and amend the application and notice if necessary.
2. The application provides a copy of the relevant pages of the Applicant’s current approved tariff for CCN number 12978. If this is the incorrect CCN (see number 1 above), please provide the relevant pages of the current water tariff for the utility associated with this rate adjustment application.
3. Page 1 of the "Notice of Approved Utility Annual Rate Adjustment" did not provide the public water system(s), sewer system(s), or subdivision(s) that will be affected by this rate adjustment. Please amend the notice if necessary.
4. Page 2 of the “Class D Water or Sewer Utility Request for an Annual Rate Adjustment” provides a previous tariff rate of \$27 00 and a proposed minimum month charge of \$28 35 for a 5/8” meter. Please amend the application and notice where necessary to include the decimal point to separate dollars from cents.
5. To allow the Administrative Law Judge sufficient time to issue a Notice of Approval, please amend the notice to reflect a notice delivery date August 5, 2022, and the effective date of the approved increase to September 6, 2022.
6. Texas Water Code (TWC) § 13.136(b) states the following: The utility commission by rule shall require each utility to annually file a service, financial, and normalized

earnings report in a form and at times specified by utility commission rule. The report must include information sufficient to enable the utility commission to properly monitor utilities in this state. The utility commission shall make available to the public information in the report the utility does not file as confidential. Please file, in Project No. 52954, the annual report for the water utility associated with this rate adjustment application.