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DOCKET NO. 53713

**APPLICATION OF J&S WATER § PUBLIC UTILITY COMMISSION
COMPANY, LLC FOR A CLASS D §
RATE ADJUSTMENT § OF TEXAS**

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

On June 14, 2022, J&S Water Company, LLC (J&S) filed an application for a Class D rate adjustment under Texas Water Code (TWC) § 13.1872 and 16 Texas Administrative Code (TAC) § 24.49.

On June 15, 2022, the administrative law judge (ALJ) filed Order No. 1, directing 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 13, 2022. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff filed a letter describing the deficiencies in the application on June 23, 2022. To date, J&S has not provided the information necessary to cure the identified deficiencies. Therefore, Staff recommends that the application be deemed insufficient for further review. Staff further recommends that J&S be ordered to file the information identified in the letter by July 27, 2022, and that Staff be given a deadline of August 26, 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 J&S be ordered to file supplemental information to cure the deficiencies in the application by July 27, 2022. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: July 12, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Keith Rogas
Division Director

Robert Dakota Parish
Managing Attorney

/s/ Margaux Fox

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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 12, 2022 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Margaux Fox

Margaux Fox

Public Utility Commission of Texas

Memorandum

TO: Margaux Fox, Attorney
Legal Division

FROM: Kathryn Eiland, Regulatory Accountant
Rate Regulation Division

DATE: July 12, 2022

RE: Docket No. 53713 – *Application of J&S Water Company, LLC for a Class D Rate Adjustment*

On June 14, 2022, J&S Water Company, LLC (J&S) 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. The Affiliate section on Page 1 of the “Class D Water or Sewer Utility Request for an Annual Rate Adjustment” was left blank. If there are no affiliates, please amend the application to reflect “not applicable” in the space provided.
2. Pages 1, 2, and 3 of the "Notice of Approved Utility Annual Rate Adjustment" identifies the utility as “Five Oaks.” This is the name of the subdivision. Please amend the notice to correct the utility name on those three pages.
3. Based on the Base Rate and Block Gallonage Charges provided in the application, it appears that the "Billing Comparison" on Page 1 of the "Notice of Approved Utility Annual Rate Adjustment" for water should reflect the following monthly charges:
 - a. 5,000 G New should be \$32.49
 - b. 10,000 G New should be \$40.36Please amend the notice to correct the new billing comparisons.
4. The application did not include a copy of the relevant pages of J&S’s current approved tariff for CCN numbers 12085 and 20658. Please provide the relevant pages of the current water and sewer tariff.
5. 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 the annual reports for the water and sewer utility associated with this rate adjustment application.

6. J&S may not send notice to customers or raise rates until approval of the proposed notice is received from the Commission. The Commission will review the proposed rate and tariff. Once the rate adjustment is approved, official notice to customers must be provided 30 days prior to the effective date. To allow the administrative law judge sufficient time to issue a Notice of Approval, please amend the notice delivery date and the effective date of the approved increase.