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DOCKET NO. 53933

MCILRATH PROPERTIES LLC'S	§	PUBLIC UTILITY COMMISSION
APPEAL OF THE COST OF	§	
OBTAINING SERVICE FROM MILLER	§	OF TEXAS
GROVE WATER SUPPLY	§	
CORPORATION	§	

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE AND PROPOSED PROCEDURAL SCHEDULE

On August 4, 2022, McIlrath Properties LLC (McIlrath) filed a petition appealing the decision of Miller Grove Water Supply Corporation (Miller Grove) regarding the cost of obtaining service under Texas Water Code (TWC) § 13.043(g) and 16 Texas Administrative Code (TAC) § 24.101(g).

On September 12, 2022, the administrative law judge (ALJ) filed Order No. 3, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of notice by September 26, 2022. Therefore, this pleading is timely.

I. NOTICE

Notice in this proceeding is governed by 16 TAC § 22.55. Staff recommends that the only entity affected by this appeal is Miller Grove, and therefore, it is reasonable to require McIlrath to provide notice to Miller Grove. It is unclear from McIlrath's filing whether a copy of the appeal was mailed to Miller Grove. If McIlrath did not mail a copy to Miller Grove, Staff recommends that they be directed to do so and include the assigned Docket No. 53933. Staff further recommends that McIlrath file in the docket proof that a copy of the appeal was mailed to Miller Grove's address on record.

II. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's comments, Staff proposes the following procedural schedule:

Event	Date
Deadline for McIlrath to mail a copy of its appeal to Miller Grove	October 3, 2022
Deadline for McIlrath to provide proof that notice of the appeal was mailed to Miller Grove	October 10, 2022
Deadline for Miller Grove to file a response to the petition	October 24, 2022
Deadline for Staff to file its final recommendation on the petition or to request a hearing	November 21, 2022
Deadline for parties to respond to Staff's recommendation and/or to request a hearing, or if no hearing is requested, deadline to file a proposed order	December 12, 2022

III. CONCLUSION

Staff recommends that the proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

Dated: September 26, 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 September 26, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith