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APPLICATION OF SAN BERNARD	§	PUBLIC UTILITY COMMISSION
ELECTRIC COOPERATIVE, INC. TO	§	
AMEND A CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	OF TEXAS
FOR A SERVICE AREA BOUNDARY	§	
CHANGE IN WALLER AND	§	
MONTGOMERY COUNTIES	§	

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY
OF APPLICATION AND NOTICE**

On August 9, 2022, San Bernard Electric Cooperative, Inc. (SBEC) filed an application to amend CenterPoint Energy Houston Electric, LLC's (CenterPoint) certificate of convenience and necessity (CCN) for a minor boundary change in Waller and Montgomery Counties. Specifically, SBEC seeks a minor boundary change to serve one customer. This application is filed under PURA¹ §§ 37.053-37.056 and 16 Texas Administrative Code (TAC) § 25.101.

On August 11, 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 sufficiency of the application, the need for additional notice, and whether the Commission should regard this case as a minor boundary change under 16 Texas Administrative Code (TAC) § 25.101 by August 23, 2022. Therefore, this pleading is timely filed.

I. COMMENTS ON SUFFICIENCY

Staff has reviewed the application and recommends that it be found sufficient and complete for further review because SBEC has provided all of the information required by the application and 16 TAC § 25.101(b)(1)(B). This recommendation does not address the merits of the application and such a recommendation will be filed according to the procedural schedule established in Order No. 1.

¹ Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (PURA).

II. MINOR BOUNDARY CHANGE

Staff recommends that the application is appropriate for processing as a minor boundary change pursuant to 16 TAC § 25.101(b)(1)(B).

III. NOTICE

In accordance with 16 TAC § 22.52(a), SBEC is exempt from the notice requirements for electric licensing proceedings because this proceeding is a minor boundary change. However, 16 TAC § 22.55 allows the presiding officer to require a party to provide reasonable notice to affected persons. Staff notes that the affected parties have been provided notice, as demonstrated in Attachments B-3 and B-4 of the application and recommends that no additional notice be required.

IV. CONCLUSION

For the reasons specified herein, Staff respectfully recommends that SBEC's application be deemed sufficient, that the application be processed as a minor boundary change under 16 TAC § 25.101(b)(1)(B), and that no additional notice is required.

Dated: August 23, 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 August 23, 2022 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Arnett Caviel
Arnett D. Caviel