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DOCKET NO. 54047

APPLICATION OF QUADVEST, LP TO	§	PUBLIC UTILITY COMMISSION
AMEND IT'S CERTIFICATES OF	§	
CONVENIENCE AND NECESSITY IN	§	OF TEXAS
WALLER COUNTY	§	

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE,
CAPITAL IMPROVEMENTS PLAN AND LOAN DOCUMENTATION SUBMITTED
BY QUADVEST**

I. INTRODUCTION

On September 8, 2022, Quadvest LP (Quadvest) filed an application to amend its Certificate of Convenience and Necessity (CCN) in Waller County. Quadvest holds water CCN No. 11612 and sewer CCN No. 20952.

On May 22, 2023, Quadvest filed a motion to abate this proceeding, and on May 24, 2023, the administrative law judge (ALJ) filed Order No. 7 granting the abatement and stating the docket will remain abated until a motion to unabated the docket is granted.

On June 23, 2023, the ALJ filed Order No. 8, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of the supplemental notice by July 7, 2023. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

Staff has reviewed the supplemental notice documentation submitted by Quadvest in their responses to Order No. 7 and at this time, staff recommends that notice is sufficient. On June 7, 2023, Quadvest filed an affidavit of Mark L. Urback, Vice President of Engineering and Construct of Quadvest, attesting that there are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified. According to 16 Texas Administrative Code (TAC) § 25.235(b)(2) and an applicant obtaining or amending a CCN is required to (1) mail notice to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the requested area, or (2) provide information stating that there are no landowners that meet these criteria. As Quadvest filed a statement, affirmed by Mark L. Urback, stating that there are no landowners with a tract of land that is at least 25 acres and is wholly or partially included in the requested area, additional notices are not required to be provided. Therefore, Staff recommends that Quadvest's notice be deemed sufficient.

III. SUFFICIENCY OF LOAN DOCUMENTATION

After reviewing the supplemented documents and as described in the attached memorandum of Fred Bednarski III, Rate Regulation Division, Staff has determined that Quadvest has satisfied the firm capital commitment requirements specified in 16 TAC § 24.11(e)(5)(B). Staff therefore recommends that the supplemented application as it relates to the firm capital commitments be deemed sufficient.

IV. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that Quadvest's proof of notice be found sufficient. Additionally, Staff recommends that as supplemented, Quadvest's application has satisfied the firm capital commitment requirements detailed in 16 TAC § 24.11(e)(5)(B). Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: July 7, 2023

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Wagley Lopez
Division Director

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Managing Attorney

/s/ Markel Perkins
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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 2023-07-07 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Markel Perkins

Markel Perkins

Public Utility Commission of Texas

Memorandum

TO: Markel Perkins
Legal Division

FROM: Fred Bednarski III
Rate Regulation Division

DATE: July 7, 2023

RE: Docket No. 54047 – *Application of Quadvest, LP to Amend its Certificates of Convenience and Necessity in Waller County*

On September 8, 2022, Quadvest, LP (Quadvest) filed an application amend its water and sewer Certificate of Convenience and Necessity numbers 11612 and 20952, in Waller County under Subchapter G of Texas Water Code Chapter 13.

On May 24, 2023, the administrative law judge issued Order No. 7, requiring staff to file a recommendation on the loan documentation or firm capital commitments provided by Quadvest pursuant to 16 TAC § 24.11(e)(5)(B).

Quadvest has obtained a line of credit and has access to cash funds to pay for the required system improvements to provide continuous and adequate water and sewer service to the requested area, as provided in confidential attachment FB-1. Therefore, I recommend a finding that Quadvest has demonstrated a firm capital commitment and meets the requirements specified in 16 TAC § 24.11(e)(5)(B).