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DOCKET NO. 54121

APPLICATION OF SP UTILITY	§	PUBLIC UTILITY COMMISSION
COMPANY, INC. FOR TEMPORARY	§	
RATES FOR A NONFUNCTIONING	§	OF TEXAS
UTILITY	§	

**COMMISSION STAFF’S RECOMMENDATION ON NOTICE AND SECOND
REQUEST FOR EXTENSION**

On September 15, 2022, Harrison Williams (Mr. Williams), owner of SP Utility Company, Inc. (SP Utility) and temporary manager of Villa Utilities, water Certificate of Convenience and Necessity (CCN) No. 12079, filed with the Public Utility Commission of Texas (Commission) a request for a temporary rate increase pursuant to Texas Water Code (TWC) § 13.046 and 16 Texas Administrative Code (TAC) § 24.363 in Chambers County, Texas. Villa Utilities has three active public water systems (PWS): Vista Utilities (PWS ID: 0360026), Reed Estates Water System (PWS ID: 1010945), and Villa Utilities (PWS ID: 101183).

On October 9, 2022, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline for the Staff (Staff) of the Commission to request a hearing or file a recommendation on final disposition by November 15, 2022. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON NOTICE

Staff recommends that the notice be found sufficient under 16 TAC § 24.363(b) and that no additional notice documentation be required. While Staff originally requested that Mr. Williams be required to file proof of notice in Staff’s recommendation on sufficiency and notice, upon further review of the evidentiary record, Staff has determined that sufficient notice was provided with the application. Under 16 TAC § 24.363(b), notice of a temporary rate must be sent to customers “no later than the first bill which includes the temporary rates.” The application included the proposed notice and stated that notice would be provided to customers on or about August 26, 2022.¹ Therefore, Staff recommends that no additional notice documentation be required, as ordered in Order No. 2.

¹ Application of SP Utility Company, Inc. for Temporary Rates for a Nonfunctioning Utility at 1 (Sept. 15, 2022).

II. REQUEST FOR EXTENSION

Under 16 Texas Administrative Code § 22.4(b), a party may request that the time allowed for the filing of any documents be extended for good cause. Staff has requested additional information from Mr. Williams that Staff needs to formulate its final recommendation. Therefore, Staff is unable to make a recommendation on final disposition at this time. Staff respectfully requests that its deadline to request a hearing or file a recommendation on final disposition be extended to December 2, 2022. Staff has conferred with Mr. Williams and represents that he is unopposed to this extension request.

III. CONCLUSION

Staff respectfully requests the entry of an order finding the notice sufficient and extending Staff's deadline to December 2, 2022, to request a hearing or file a recommendation on final disposition.

Dated: November 14, 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 on November 14, 2022 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Margaux Fox
Margaux Fox