



## Filing Receipt

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**DOCKET NO. 54146**

<b>APPLICATION OF RIO CONCHO</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>AVIATION, INC FOR A PASS</b>	<b>§</b>	
<b>THROUGH RATE CHANGE</b>	<b>§</b>	<b>OF TEXAS</b>

**STAFF’S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS**

On September 23, 2022, Rio Concho Aviation, Inc (Rio Concho) filed an application to implement a pass-through rate change under 16 Texas Administrative Code (TAC) § 24.25(b)(2) for an increase in fees billed by Northern Trinity Groundwater Conservation District (NTGCD). The increase by NTGCD raises the fee charged to Rio Concho from \$0.12 to \$0.155 per thousand gallons effective January 1, 2022.

On January 4, 2023, the administrative law judge (ALJ) filed Order No. 3, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation regarding the administrative completeness of the application and propose a procedural schedule by January 11, 2023. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS AND SUFFICIENCY OF NOTICE**

Staff has reviewed the supplemental application and as detailed in the attached memorandum from Vonetta Jackson, Rate Regulation Division, Staff recommends that the application is administratively complete from a financial perspective. In addition, Staff recommends that the revised notice, which was provided on December 20, 2022, be deemed sufficient. Staff’s administrative completeness recommendation does not reflect a final recommendation on the overall merits of the application.

**II. PROCEDURAL SCHEDULE**

Staff recommends that the following procedural schedule be adopted:

<b>Event</b>	<b>Date</b>
Deadline for intervention	<i>January 24, 2023</i>
If no hearing is requested, deadline for parties to file a motion to admit evidence and joint proposed findings of fact and conclusions of law	<i>February 7, 2023</i>

### **III. CONCLUSION**

For the reasons detailed above, Staff recommends that the application be found administratively complete, that the revised notice provided by Rio Concho be deemed sufficient, and that the above procedural schedule be adopted for the continued processing of this matter.

Dated: January 11, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Keith Rogas  
Division Director

Marisa Lopez Wagley  
Managing Attorney

/s/ Kevin R. Bartz  
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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 January 11, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin R. Bartz  
Kevin R. Bartz

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Kevin Bartz, Attorney, Legal Division

**FROM:** Vonetta Jackson, Regulatory Accountant  
Rate Regulation Division

**DATE:** December 20, 2022

**RE:** Docket No. 54146 – Application of Rio Concho Aviation, Inc for a Pass Through Rate Change

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On September 23, 2022, Rio Concho Aviation, Inc (Rio Concho) filed an application to implement a pass-through rate change under 16 Texas Administrative Code (TAC) § 24.25(b)(2) for an increase in the fees billed by Northern Trinity Groundwater Conservation District. The increase by Northern Trinity Groundwater Conservation raised the fee charged to Rio Concho to \$0.155 per thousand gallons effective January 1, 2022.

Rio Concho is providing service under certificate of convenience and necessity number (CCN) 12835,<sup>1</sup> and the application included a copy of the tariff pages for CCN number 12835 that contain the rates that will change if the application is approved.<sup>2</sup> A copy of the notice provided to customers was also filed with the application and a copy of the revised notice was submitted on December 20, 2022.<sup>3</sup>

Rio Concho has requested a pass-through rate change from \$0.12 to \$0.17 per thousand gallons for PWS#2200330 in Tarrant County.<sup>4</sup> The application was supported by documentation from North Trinity Groundwater Conservation District, which confirms the increase in the fees charged to Rio Concho.<sup>5</sup> The requested pass-through rate includes line loss in accordance with the pass-through equation listed on the tariff of 11%, supported by twelve months of documentation provided by the Rio Concho.<sup>6</sup>

I have reviewed the calculations and assumptions used to determine the requested pass-through rate. Based upon my review of the underlying calculations and assumptions used to determine its request, I confirm that Rio Concho Aviation's pass-through rate is correct.<sup>7</sup>

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<sup>1</sup> 16 TAC § 24.25(b)(2)(F)(i)(I).

<sup>2</sup> 16 TAC § 24.25(b)(2)(F)(i)(VIII).

<sup>3</sup> 16 TAC § 24.25(b)(2)(F)(i)(III).

<sup>4</sup> 16 TAC § 24.25(b)(2)(F)(i)(II).

<sup>5</sup> 16 TAC § 24.25(b)(2)(F)(i)(IV).

<sup>6</sup> 16 TAC § 24.25(b)(2)(F)(i)(V).

<sup>7</sup> 16 TAC § 24.25(b)(2)(F)(i)(VII).

The amended application, as filed on December 20, 2022, meets the requirements of 16 TAC § 24.25(b)(2). I recommend that the application and notice be deemed sufficient. I recommend that the application be approved as filed and that Rio Concho be provided with a copy of the attached tariff.