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DOCKET NO. 54153

APPLICATION OF OAK BEND	§	PUBLIC UTILITY COMMISSION
HOMEOWNERS WATER SUPPLY	§	
CORPORATION FOR AUTHORITY TO	§	OF TEXAS
CHANGE RATES	§	

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND NOTICE AND PROPOSED
PROCEDURAL SCHEDULE**

On September 27, 2022, Oak Bend Homeowners' Water Supply Corporation (Oak Bend) filed an application for authority to change water rates under Texas Water Code (TWC) §§ 13.1871 and 13.18715. Oak Bend is a Class D water utility and holds water Certificate of Convenience and Necessity (CCN) No. 11633. Oak Bend filed supplemental information on November 29, 2022 and February 9, 2023.

On February 22, 2023, the administrative law judge (ALJ) filed Order No. 6, granting Staff's request for extension and establishing a deadline of February 24, 2023 for the Staff (Staff) of the Public Utility Commission of Texas (Staff) to file comments on the administrative completeness of the application, proposed notice, and to propose a procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

**I. SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE**

Staff has reviewed the application and supplemental information filed by Oak Bend and, as detailed in the attached memorandum from Sandra Hale of the Rate Regulation Division, recommends that the application be found administratively complete. On November 29, 2022, Oak Bend filed an affidavit attesting to the provision of notice to current customers and affected parties and Staff recommends that notice be found sufficient. Staff further recommends that the effective date for all proposed rates remain suspended through the pendency of this case, as permitted by TWC § 13.1871(g) and 16 Texas Administrative Code (TAC) § 24.33(a)(2), or until an interim rate is requested and approved.

II. PROPOSED PROCEDURAL SCHEDULE

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

Event	Date
Date notice completed by Oak Bend	November 25, 2022
Proposed effective date of rate change	February 1, 2023
Deadline to intervene, comment, or request a hearing (90 days from the Effective Date of February 1, 2023) ¹	May 2, 2023
Deadline for Staff to request a hearing or file a recommendation on final disposition	May 11, 2023
Deadline for Applicant to respond to Staff's recommendation, or, if no disputed issues exist, deadline for parties to file proposed findings of fact, conclusions of law, and ordering paragraphs	May 18, 2023
Deadline for the Commission to set the matter for a hearing on its own motion (120 th day after the effective date) ²	June 1, 2023

III. CONCLUSION

For the reasons detailed above, Staff recommends that Oak Bend's application and notice be deemed sufficient and that the proposed procedural schedule be adopted and respectfully requests the entry of an order consistent with the above recommendations.

¹ Pursuant to 16 Texas Administrative Code (TAC) § 24.35(c)(2), if during the first 90 days after the effective date of the rate change, the Commission receives a complaint from any affected municipality, or protests from the lesser of 1,000 or 10% of the ratepayers of the utility over whose rates the Commission has original jurisdiction, the Commission shall set the matter for hearing.

² 16 TAC § 24.35(c)(1).

Dated: February 24, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

Sneha Patel
Managing Attorney

/s/ Forrest Smith
Forrest Smith
State Bar No. 24093643
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7388
(512) 936-7268 (facsimile)
Forrest.Smith@puc.texas.gov

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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 February 24, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith

Public Utility Commission of Texas

Memorandum

TO: Forrest Smith, Legal Division

FROM: Sandra Hale, Rate Regulation Division

DATE: February 24, 2023

RE: **Docket No. 54153** – *Application of Oak Bend Homeowners' Water Supply Corporation for Authority to Change Rates*

On September 27, 2022, Oak Bend Homeowners' Water Supply Corporation, a Class D water utility with 29 owner families, filed a Class C Rate Change Application for water utility service provided under Certificate of Convenience and Necessity (CCN) No. 11633. I have conducted an administrative review of the application and notice according to Texas Water Code (TWC) § 13.1871, § 13.1872(c)(2), and 16 Texas Administrative Code (TAC) §§ 24.25 through 24.33.

Based on a review of the initial application and supplemental information filed on November 29, 2022 and February 9, 2023, I recommend that the application be deemed sufficient for filing and found administratively complete.

I also recommend that the effective date for the proposed rates remain suspended through the pendency of this case as allowed by TWC § 13.1871(g) and TAC § 24.33(a)(2), or until an interim rate is requested and approved.

cc: Anna Givens, Director, Rate Regulation
Marisa Wagley, Managing Attorney