



## Filing Receipt

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**DOCKET NO. 54271**

**APPLICATION OF KICKAPOO § PUBLIC UTILITY COMMISSION**  
**UTILITY LLC FOR A CERTIFICATE §**  
**OF CONVENIENCE AND NECESSITY § OF TEXAS**  
**IN WALLER COUNTY §**

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE**

**I. INTRODUCTION**

On October 27, 2022, Kickapoo Utility LLC (Kickapoo) filed an application to obtain a sewer certificate of convenience and necessity (CCN) in Waller County, Texas under Texas Water Code (TWC) §§ 13.241 through 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 through 24.237.

On February 7, 2023, the administrative law judge (ALJ) filed Order No. 3, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice and propose a procedural schedule by April 3, 2023. Therefore, this pleading is timely filed.

**II. SUFFICIENCY OF NOTICE**

Kickapoo filed proof of notice on February 27, 2023, and March 14, 2023. In its proof of notice, Kickapoo provided signed affidavits attesting that: (1) notice of the application, along with a map of the requested service area, was sent to neighboring utilities, landowners, other affected parties, consistent with Staff’s recommendation on administrative completeness; and (2) that notice was published in a newspaper of general circulation in Waller County for two consecutive weeks. Staff has reviewed Waller's proof of notice and the related affidavits and recommends that the notice be found sufficient.

**III. PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Notice completed	March 14, 2023
Deadline for intervention	April 13, 2023
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Kickapoo for review and consent	May 3, 2023

Deadline for Kickapoo to file signed consent forms with the Commission	May 17, 2023
If no hearing is requested, deadline for Staff to file a final recommendation on the application	May 31, 2023
If no hearing is requested, deadline for the parties to file joint proposed findings of fact, including findings that address the factors in TWC § 13.246(c), and conclusions of law	June 14, 2023

**IV. CONCLUSION**

For the reasons detailed above, Staff recommends that Kickapoo’s notice be found sufficient and requests the adoption of the proposed procedural schedule above.

Dated: April 3, 2023

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 will be provided to all parties of record via electronic mail on April 3, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

*/s/ Arnett D. Caviel*  
Arnett D. Caviel