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Received - 2023-03-17 12:41:22 PM
Control Number - 54565
ItemNumber - 2093

DOCKET NO. 54565

APPLICATION OF CSWR-TEXAS	§	PUBLIC UTILITY COMMISSION
UTILITY OPERATING COMPANY,	§	
LLC FOR AUTHORITY TO CHANGE	§	OF TEXAS
RATES	§	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE, MOTION TO SUSPEND PROPOSED RATES, AND
JOINT PROPOSED PROCEDURAL SCHEDULE**

I. INTRODUCTION

On February 3, 2023, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) filed an application for authority to change water and sewer rates under Texas Water Code (TWC) § 13.1871. CSWR-Texas holds Certificates of Convenience and Necessity (CCN) Nos. 13290 and 21120. CSWR-Texas proposes an effective date of March 10, 2023, for the proposed rate changes.

On February 24, 2023, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the application and proposed notice and for both parties to file a recommendation regarding how to proceed with the application and propose a procedural schedule, if appropriate, by March 13, 2023. On March 10, 2023, Staff requested an extension until March 20, 2023, to file its comments on administrative completeness of the application and proposed notice and to propose a procedural schedule, if appropriate.

II. ADMINISTRATIVE COMPLETENESS AND PROPOSED NOTICE

Staff has reviewed the application and as detailed in the attached memorandum of Kathryn Eiland of the Rate Regulation Division, recommends that the application be deemed sufficient for further review. This recommendation does not address the merits of the application, and Staff reserves the right to require CSWR-Texas to supplement the application, as needed.

Staff also reviewed the proposed notice provided with the application and with the March 13, 2023, supplemental filing and recommends that the proposed notice be found sufficient.

III. MOTION TO SUSPEND PROPOSED RATES

Staff respectfully recommends that the effective date for all proposed rates be suspended as allowed by TWC § 13.1871(g) and 16 Texas Administrative Code (TAC) § 24.33(a)(2) or until an interim rate is requested and approved.

IV. PROCEDURAL SCHEDULE

Staff, the Office of Public Interest Counsel, and CSWR-Texas jointly propose the following procedural schedule:

Event	Date
Date notice completed	March 13, 2023
Proposed effective date of rate change	March 10, 2023
Deadline to intervene, comment, or request a hearing (90 days from the proposed effective date of March 10, 2023) ¹	June 8, 2023
Deadline for Staff to request a hearing or file a recommendation on final disposition	June 15, 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	June 22, 2023
Deadline for the Commission to set the matter for a hearing on its own motion (120 th day after the proposed effective date) ²	July 10, 2023 ³

V. CONCLUSION

Staff respectfully requests that CSWR-Texas's application and notice be deemed sufficient, that the proposed effective date of the proposed rates be suspended, and that the proposed procedural schedule be adopted.

¹ Under 16 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 a hearing.

² 16 TAC § 24.35(c)(1).

³ 120 days after March 10, 2023, is July 8, 2023, which is a Sunday. Therefore, in accordance with 16 TAC § 22.4(a), the deadline falls on the next day the Commission is open for business, which is Monday, July 10, 2023.

Date: March 17, 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 was provided to all parties of record via electronic mail on March 17, 2023 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch

Public Utility Commission of Texas

Memorandum

TO: Ian Groetsch, Legal Division

FROM: Kathryn Eiland, Rate Regulation Division

DATE: March 17, 2023

RE: **Docket No. 54565** – *Application of CSWR-Texas Utility Operating Company, LLC for Authority to Change Rates*

On February 3, 2023, CSWR-Texas Utility Operating Company, LLC, a Class B water utility, filed a Class B Rate Change Application for water and sewer utility service provided under Certificate of Convenience and Necessity (CCN) Nos. 13290 and 21120. I have conducted an administrative review of the application and notices according to Texas Water Code (TWC) § 13.1871 and 16 Texas Administrative Code (TAC) §§ 24.25 through 24.33.

Based on a review of the initial application and the supplemental information filed on March 13, 2023, I recommend that the application and proposed notices be deemed administratively complete.

I also recommend the suspension of the effective date for all proposed rates as allowed by TWC § 13.1871(g) and TAC § 24.33(a)(2), or until an interim rate is requested and approved.