



Filing Receipt

Filing Date - 2023-08-30 12:04:32 PM

Control Number - 54943

Item Number - 8

TARIFF CONTROL NO. 54943

APPLICATION OF MIDWAY WATER UTILITIES, INC. FOR A PASS THROUGH RATE CHANGE	§ § §	PUBLIC UTILITY COMMISSION OF TEXAS
---	----------------------	--

COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS, NOTICE, AND PROPOSED PROCEDURAL SCHEDULE

On April 28, 2022, Midway Water Utilities, Inc., (Midway), filed an application under certificate of convenience and necessity (CCN) number 12087, for approval for a pass-through rate change due to increase fee charges to the utility by the City of Houston under its Groundwater Reduction Plan, with a proposed effective date of May 1, 2023.

On July 5, 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 the sufficiency of the application, notice and propose a procedural schedule, if appropriate by August 30, 2023. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and as detailed in the attached memorandum of Sandra Hale of the Commission’s Rate Regulation Division; Staff recommends that the application be found administratively complete at this time. Staff has reviewed the notice provided by Midway and recommends that it be deemed sufficient.

I. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for further processing:

Event	Date
Deadline for Staff's final recommendation or request for a hearing.	September 28, 2023
Deadline for Midway's response to Staff's recommendation or to request a hearing.	October 10, 2023
If no hearing is requested, deadline for the parties to submit a proposed order that includes findings of fact, conclusions of law, and ordering paragraphs.	October 24, 2023

II. CONCLUSION

For the reasons stated above, Staff respectfully requests that Midway's application and notice be deemed sufficient, and that the procedural schedule above be adopted for continued processing of this matter.

Dated: August 30, 2023

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

Sneha Patel
Managing Attorney

/S/ Markel Perkins
Markel Perkins
State Bar No. 24126428
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711
(512) 936-7099
(512) 936-7268 (facsimile)
Markel.Perkins@puc.texas.gov

TARIFF CONTROL NO. 54943

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 August 30, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/S/ Markel Perkins
Markel Perkins

Public Utility Commission of Texas

Memorandum

TO: Markel Perkins, Attorney
Legal Division

FROM: Sandra Hale, Regulatory Accountant
Rate Regulation Division

DATE: August 30, 2023

RE: Tariff Control No. 54943 – *Application of Midway Water Utilities, Inc. for a Pass Through Rate Change*

On April 28, 2023, Midway Water Utilities, Inc. (Midway) filed an application for a pass through rate adjustment using the standards of 16 Texas Administrative Code (TAC) § 24.25(b)(2)(F) for an increase in fees billed by the City of Houston under its Groundwater Reduction Plan. Midway holds Certificate of Convenience and Necessity (CCN) No. 12087.

Based on a review of the initial application and supplemental information filed on July 31, 2023, I recommend that the notice and the application be found sufficient.

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