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APPLICATION OF EMERALD HILLS	§	PUBLIC UTILITY COMMISSION
WATER FOR A CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	OF TEXAS
SAN PATRICIO COUNTY	§	

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE AND
PROPOSED PROCEDURAL SCHEDULE**

On May 1, 2023, Emerald Hills Water (Emerald Hills) filed an application to obtain a water certificate of convenience and necessity (CCN) in San Patricio County. Emerald Hills filed supplemental information on May 22, 2023, June 29, 2023, July 7, 2023, August 4, 2023, and August 24, 2023.

On August 9, 2023, the administrative law judge (ALJ) filed Order No. 4, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice by October 2, 2023. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF NOTICE

Staff has reviewed Emerald Hills’s proof of notice and recommends that notice be found sufficient. Specifically, on August 24, 2023, Emerald Hills provided 1) a signed, dated, and notarized Publisher’s Affidavit form for the August 17, 2023, and August 24, 2023, publication of notice in the *News of San Patricio*; 2) a signed, dated, and notarized Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities, and Affected Parties; and 3) copies of the actual notice and maps sent to the affected parties.

Staff has reviewed Emerald Hills’s proof of notice and recommends that notice was provided in accordance with Staff’s recommendation filed on August 8, 2023. Therefore, Staff recommends that Emerald Hills’s notice of the application be deemed sufficient.

II. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff’s recommendation that notice be found sufficient, Staff proposes the following procedural schedule:

Event	Date
Notice Completed	August 24, 2023

Deadline for Intervention	September 25, 2023 ¹
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable) to Emerald Hills for review and consent	November 24, 2023
Deadline for Emerald Hills to file signed consent form with the Commission	December 8, 2023
Deadline to request a hearing. If no hearing is requested, deadline for Commission Staff to file a final recommendation on the application.	December 21, 2023
Deadline for the parties to file joint proposed findings of fact and conclusions of law	January 4, 2023

III. CONCLUSION

Staff has reviewed Emerald Hills's proof of notice and recommends that notice was provided in accordance with Staff's recommendation filed on August 8, 2023. Therefore, Staff recommends that Emerald Hills's notice of the application be deemed sufficient. Staff respectfully requests the entry of an order consistent with these recommendations and the adoption of the proposed procedural schedule above.

¹ Under 16 Texas Administrative Code (TAC) § 24.235(a)(3), the intervention period is 30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer. Notice was completed on August 24, 2023. Thirty days after August 24, 2023, is September 23, 2023. Because the Commission is closed for business on September 23, 2023, under 16 TAC § 22.4, the deadline falls on September 25, 2023.

Dated: October 2, 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 October 2, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ David Berlin
David Berlin