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DOCKET NO. 56550

**APPLICATION OF PINK HILL WATER § PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION FOR §
AUTHORITY TO CHANGE RATES § OF TEXAS**

COMMISSION STAFF'S RESPONSE TO ORDER NO. 2

On April 25, 2024, Pink Hill Water Supply Corporation (Pink Hill WSC) filed a notice in this docket that appeared to be a notice of proposed rate change that is intended to accompany an application to change rates filed under Texas Water Code (TWC) §§ 13.1871 and 13.18715. On May 13, 2024, Pink Hill WSC filed a response to Order No. 1 and clarified that its filing was intended to comply with 16 Texas Administrative Code (TAC) § 24.25(i).

On June 18, 2024, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of July 3, 2024 for the (Staff) of the Public Utility Commission of Texas (Commission) to file recommendations on whether there is a more appropriate docket or project that the filing should have been made in and whether this docket should be classified as a project for administrative processing by Commission Staff without the need for involvement by an ALJ. Therefore, this pleading is timely filed.

I. RESPONSE TO ORDER NO. 2

Staff has reviewed Pink Hill WSC's response to Order No. 1 and recommends that Pink Hill WSC's April 25th filing be considered as an informational tariff filing, as required by TWC § 13.136(c) and 16 TAC § 24.25(i). Specifically, the filing shows that Pink Hill WSC has made changes to its gallonage charges. Further, Staff notes that Pink Hill WSC has previously filed its tariff for informational purposes under Tariff Control No. 55678.¹ Accordingly, Tariff Control No. 55678 is the appropriate control number under which Pink Hill WSC should have provided this informational tariff filing. To that end, Staff recommends that this docket be consolidated with Pink Hill WSC's informational tariff filings in Tariff Control No. 55678.²

¹ *Pink Hill Water Supply Corporation Tariff for Grayson County*, Tariff Control No. 55678, 2023 Tariffs (Oct. 12, 2023).

² *See e.g. Application of Cypress Cove Maintenance Association and Cypress Cove Water Supply Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Comal County*, Docket No. 47752, Memo – Control Number Consolidation (Jan. 10, 2022), and *Tariff Filing of Cypress Cove Water Supply Corporation*

Further, although informational tariff filings are not generally subjected to administrative processing by Staff or an ALJ, Staff recommends that, for Pink Hill WSC to fully comply with TWC § 13.136(c) and 16 TAC § 24.25(i), Pink Hill WSC must file in Tariff Control No. 55678 the complete updated tariff that reflects the changes made to the gallonage charges and includes all the information required by 16 TAC § 24.25(i), including the certificate of convenience and necessity (CCN) number under which service is being provided by Pink Hill WSC. Notably, Staff notes that Pink Hill WSC is obligated to provide water service under CCN No. 10185.³ However, based on the tariff previously filed in Tariff Control No. 55678, Pink Hill WSC did not include CCN No. 10185 in its tariff.⁴ Finally, Staff recommends that Pink Hill WSC file a notice in this docket that it has made such an updated informational tariff filing in Tariff Control No. 55678 and that this docket be closed thereafter.

II. CONCLUSION

For the reasons detailed above, Staff respectfully requests the entry of an order consistent with the foregoing.

Pursuant to Texas Water Code Section 13.136(c) and 16 TAC Section 24.21(j), Tariff Control No. 50991, Memo – Control Number Consolidation (Jan. 10, 2022).

³ Water Utility Information, *Public Utility Commission of Texas*, at <https://www.puc.texas.gov/watersearch>, based on searching Pink Hill WSC in the “Utility Name” field (last accessed Jul 3, 2024).

⁴ Tariff Control No. 55678, 2023 Tariffs.

Dated: July 2, 2024

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 July 2, 2024 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Scott Miles
Scott Miles