



## **Filing Receipt**

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**Item Number - 9**

**DOCKET NO. 58004**

<b>APPLICATION OF ROCKPORT FIBER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>CONSTRUCTION, LLC FOR A</b>	<b>§</b>	
<b>SERVICE PROVIDER CERTIFICATE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OF OPERATING AUTHORITY</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION ON THE APPLICATION**

On April 23, 2025, Rockport Fiber Construction, LLC (Rockport Fiber) filed an application a Service Provider Certificate of Operating Authority (SPCOA) pursuant to Public Utility Regulatory Act, (PURA) <sup>1</sup> §§ 54.151-.159 and 16 Texas Administrative Code (TAC) § 26.111. Rockport Fiber file an amended application on May 21, 2025.

On May 9, 2025, the administrative law judge (ALJ) filed Order No. 3, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on administrative completeness and notice, along with a procedural schedule for continued processing, by June 5, 2024. Therefore, this pleading is timely filed.

**I. STAFF'S RECOMMENDATION**

Staff has reviewed the supplemented application and, as supported by the attached memorandum of Ethan Blanchard of the Rate Regulation Division, Staff recommends that the amended application be denied if it is not cured or withdrawn by July 10, 2025.

**II. CONCLUSION**

For the reasons discussed in the attached memorandum, Staff respectfully requests the entry of an order consistent with the above recommendation.

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<sup>1</sup> Tex. Util. Code Ann. §§ 54.151-.159

Dated: June 5, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Division Director

Phillip Lehmann  
Managing Attorney

/s/ Markel Perkins  
Markel Perkins  
State Bar No. 24126428  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7099  
(512) 936-7268 (fax)  
Markel.Perkins@puc.texas.gov

**DOCKET NO. 58004**

**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 June 5, 2025 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Markel Perkins  
Markel Perkins

# ***Public Utility Commission of Texas***

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## **Memorandum**

TO: Markel Perkins  
Legal Division

FROM: Ethan Blanchard  
Rate Regulation Division

DATE: June 5, 2025

RE: Docket No. 58004 – *Application of Rockport Fiber Construction, LLC for a Service Provider Certificate of Operating Authority.*

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On April 23, 2025, Rockport Fiber Construction, LLC (Rockport) filed an application for a service provider certificate of operating authority (SPCOA).

On May 21, 2025, Rockport filed documentation demonstrating proof that the Rockport has the assets (cash) that appeared on the balance sheet in Rockport's application.<sup>1</sup> Rockport's assets are not the same as Rockport's shareholders' equity. Shareholders' equity is the difference of subtracting liabilities from assets. According to the balance sheet filed in Rockport's application, Rockport has \$15.07 in shareholder's equity which is \$99,984.93 less than that required by 16 Texas Administrative Code (TAC) § 26.111(f)(1) for facilities-based certification.<sup>2</sup>

Consequently, I recommend that the owners of Rockport be required to supplement their application to satisfy the requirements of 16 TAC § 26.111(f)(1). If the owners of Rockport are not willing or capable of complying with this requirement, then I recommend that the application be denied.

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<sup>1</sup> Amended Application at 26 (May 21, 2025).

<sup>2</sup> Application at 32 (Apr. 23, 2025).