



Control Number: 38417



Item Number: 5

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**DOCKET NO. 38417**

<b>APPLICATION OF PEDERNALES</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>ELECTRIC COOPERATIVE, INC. AND</b>	<b>§</b>	
<b>BANDERA ELECTRIC</b>	<b>§</b>	<b>OF TEXAS</b>
<b>COOPERATIVE, INC. TO AMEND A</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY FOR AN ELECTRIC</b>	<b>§</b>	
<b>SERVICE AREA BOUNDARIES</b>	<b>§</b>	
<b>WITHIN REAL COUNTY</b>	<b>§</b>	

FILED  
JUL 11 11:45  
PUBLIC UTILITY COMMISSION

**COMMISSION STAFF'S COMMENTS ON SUFFICIENCY  
OF APPLICATION AND NOTICE**

The Staff (Staff) of the Public Utility Commission of Texas (Commission) files these comments on sufficiency and notice regarding the July 2, 2010, filing by Pedernales Electric Cooperative, Inc. (PEC and Bandera Electric cooperative, Inc. (BEC) (jointly Applicants) for a service boundary change within Real county.

**PURA/Substantive Rule Requirements**

PURA §37.053 requires the applicants to submit an application to obtain or amend a CCN. P.U.C. SUBST. R. 25.101(b)(1) requires a certificate or certificate amendment for a change in service area. The factors to consider in granting a certificate, as well as the requirements for granting amendments to a CCN, are outlined in PURA § 37.056 and P.U.C. SUBST. R. 25.101(b).

**Staff Comments on Sufficiency**

Applicants have provided all information required by the application. Staff finds the application to be sufficient and complete as filed.

**Staff Comments on Notice**

P.U.C. PROC. R. 22.52 does not require customer notice in minor boundary change proceedings such as this. Accordingly, Staff finds no additional notice (beyond *Texas Register* notice) is required.

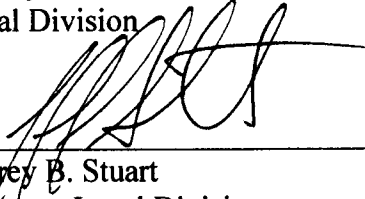
Staff respectfully requests that an order be issued consistent with these comments.

Dated: July 16, 2010

Respectfully Submitted,

Thomas S. Hunter  
Division Director  
Legal Division

Keith Rogas  
Deputy Division Director  
Legal Division

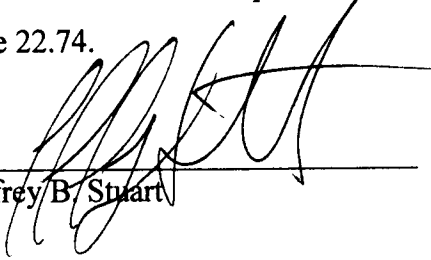


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(512) 936-7268 (facsimile)  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

### CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 16, 2010, in accordance with P.U.C. Procedural Rule 22.74.



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Jeffrey B. Stuart