



Control Number: 38727



Item Number: 8

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DOCKET NO. 38727

**APPLICATION OF BROWNSVILLE
PUBLIC UTILITIES BOARD FOR AN
AMENDMENT TO A CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR
SERVICE AREA BOUNDARIES
WITHIN CAMERON COUNTY
(BROWNSVILLE ISD)**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

FILED
OCT 27 2010
11:54
CLERK

STAFF'S FINAL RECOMMENDATION

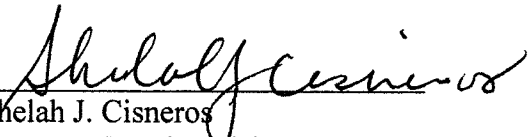
Commission Staff recommends approval of the application, based on the attached memorandum of James Kelsaw.

Dated: October 25, 2010

Respectfully Submitted,

Thomas S. Hunter
Division Director
Legal Division

Keith Rogas
Deputy Division Director
Legal Division



Shelah J. Cisneros
Attorney-Legal Division
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 25, 2010, in accordance with P.U.C. Procedural Rule 22.74.


Shelah J. Cisneros

Public Utility Commission of Texas

Memorandum

TO: Docket Management

FROM: James Kelsaw *JK*
Infrastructure and Reliability Division

DATE: October 25, 2010

SUBJECT: Docket No. 38727, *Application of Brownsville Public Utilities Board to Amend Electric Utility Certificated Service Area Boundaries within Cameron County.*

BACKGROUND

The Public Utilities Board of the City of Brownsville ("BPUB") requests an amendment to its certificated service area boundaries in Cameron County, Texas. The proposed certificate amendment will affect the existing certificated boundary of BPUB and American Electric Power Company ("AEP"); formerly know as Central Power and Light ("CPL"). On February 23, 1982, CPL and BPUB executed an agreement pursuant to which CPL agreed not to contest or oppose any application by BPUB to be dually or multiply certificated to serve areas within the city limits of the City of Brownsville, Texas.

Commission Staff recommended in its sufficiency recommendation of October 8, 2010, that this application be treated as a "minor boundary change" because proper notice has been provided; all affected entities have consented to the relief requested in the application. Consistent with Staff's recommendation, this proceeding was deemed a minor boundary change in Order No. 2. Thus, the notice requirements of P.U.C. PROC. R. 22.52(a) are not applicable. Reasonable notice as provided in P.U.C. PROC. R. 22.55 was afforded. No party has requested intervention in this proceeding.

PROJECT DESCRIPTION

BPUB is requesting authorization to provide electric service to 66.04 acres of land that are singly certificated to AEP and is within the corporate limits of the City of Brownsville, Cameron County, Texas. If the request is granted, the area would be dually certificated to AEP and BPUB. The proposed boundary change will not have any negative effect on community values, recreational and park areas, environmental integrity and historical values. There are existing BPUB and AEP distribution lines along the east property line of Palm Grove. There are BPUB distribution lines a half (1/2) mile north of Besteiro/Aiken and AEP distribution lines on the east property line of Besteiro/Aiken. There are existing BPUB and

AEP distribution lines along the west property line of Villa Neuva. There are existing BPUB and AEP distribution lines along the east property line of Yturria. BPUB is proposing to extend overhead distribution lines from their nearest point to serve projects as needed.

NEED AND COST FOR THE PROPOSED CONSTRUCTION

Brett Springston, Superintendent of Schools for Brownsville Independent School District has requested the BPUB provide electric service to one (1) proposed middle school and four (4) proposed elementary schools located on 66.04 acres of land. There are no other property owners for the area other than the Brownsville Independent School District. BPUB is requesting authorization to provide electric service to these 66.04 acres of land that are singly certificated, to AEP. The estimated cost to BPUB will be \$252,239.46 to provide service to this project.

CONCLUSIONS AND RECOMMENDATIONS

Commission Staff concludes that the application of BPUB satisfies the provisions of PURA §37.056. Therefore, Commission Staff recommends approval of this application.