



Control Number: 42954



Item Number: 14

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DOCKET NO. 42954

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**APPLICATION OF THE CITY OF
ITALY TO AMEND CERTIFICATES
OF CONVENIENCE AND NECESSITY
IN ELLIS COUNTY (37666-C AND
37667-C)**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

NOTICE OF APPROVAL

This Notice addresses the application of the city of Italy (Italy) to amend its water Certificate of Convenience and Necessity (CCN) No. 10885 and sewer CCN No. 20350 in Ellis County, Texas. Public Utility Commission of Texas (Commission) Staff recommended approval of the application. The application is approved.

The Commission adopts the following fact statements and legal conclusions.

I. Fact Statements

1. On July 16, 2013, Italy filed with the Texas Commission on Environmental Quality (TCEQ) an application to amend its water CCN No. 10885 and an application to amend its wastewater CCN No. 20350 pursuant to TEX. WATER CODE § 13.246 and P.U.C. SUBST. R. 24.105.
2. The applications involve amendment of the CCNs to provide water and wastewater service within the municipal boundaries of the city of Italy and surrounding areas.
3. On January 9, 2014, notice was provided to all affected and interested parties.
4. On January 9, 2014 and January 16, 2014, notice was published in the *Waxahachie Daily Light*, a newspaper of general circulation in Ellis County.
5. On September 1, 2014, functions relating to the economic regulation of water and sewer utilities were transferred from TCEQ to the Commission.
6. The applications were received by the Commission and assigned Docket Nos. 42954 and 42955.

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7. On November 4, 2014, Order No. 2 was issued which consolidated the applications into Docket No. 42954.
8. On December 5, 2014, Commission Staff transmitted the proposed certificates and maps for CCN Nos. 10885 and 20350 to Italy for review and consent.
9. On January 22, 2015, an authorized party for Italy signed the document consenting to the proposed maps and certificates for CCN Nos. 10885 and 20350.
10. The map and certificates described in Findings of Fact 8 and 9 are attached to this Notice.
11. On January 12, 2015, Commission Staff recommended that the application to amend CCN Nos. 10885 and 20350 be approved.
12. On January 20, 2015, Commission Staff filed a proposed notice of approval with attached maps, certificates and signed consent form.¹
13. Italy and Commission Staff are the only parties in this proceeding.
14. No requests to intervene or requests for hearing were filed in this proceeding and there are no disputed issues of fact, therefore no hearing is necessary.

II. Legal Conclusions

1. The Commission has jurisdiction over these matters pursuant to TEX. WATER CODE §§ 13.041, 13.241, and 13.246.
2. The city of Italy operates a municipally owned utility as defined in TEX. WATER CODE § 13.002(13)
3. Public notice of the application was provided as required by TEX. WATER CODE § 13.246 and P.U.C. SUBST. R. 24.106.
4. Italy is entitled to approval of this application having demonstrated adequate financial, managerial and technical capability for providing continuous and adequate service to the

¹ The consent form was signed and dated as of January 22, 2015; however, Staff's recommendation to which the form is attached was filed on January 20, 2015.

requested area and any areas already certificated to Italy as required by TEX. WATER CODE § 13.246(c).

5. Approval of the application is necessary for the service accommodation, convenience, and safety of the public as required by TEX. WATER CODE § 13.246(b) and P.U.C. SUBST. R. 24.102(a).
6. The requirements for informal disposition pursuant to P.U.C. PROC. R. 22.35 have been met in this proceeding.

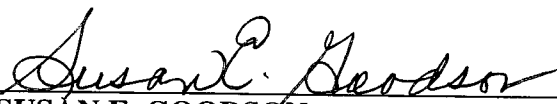
III. Ordering Paragraphs

In accordance with these statements of fact and legal conclusions, the Commission issues the following Order.

1. The city of Italy's application to amend CCN No. 10885 and CCN No. 20350 is approved.
2. Italy's CCN Nos. 10885 and 20350 are amended in accordance with this Notice.
3. The Commission's official service area boundary maps for Italy shall reflect this change.
4. Italy shall serve every customer and applicant for service within the area certified under the CCN Nos. 10885 and 20350, and such service shall be continuous and adequate.
5. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the 23rd day of January 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE



Public Utility Commission Of Texas

By These Presents Be It Known To All That

CITY OF ITALY

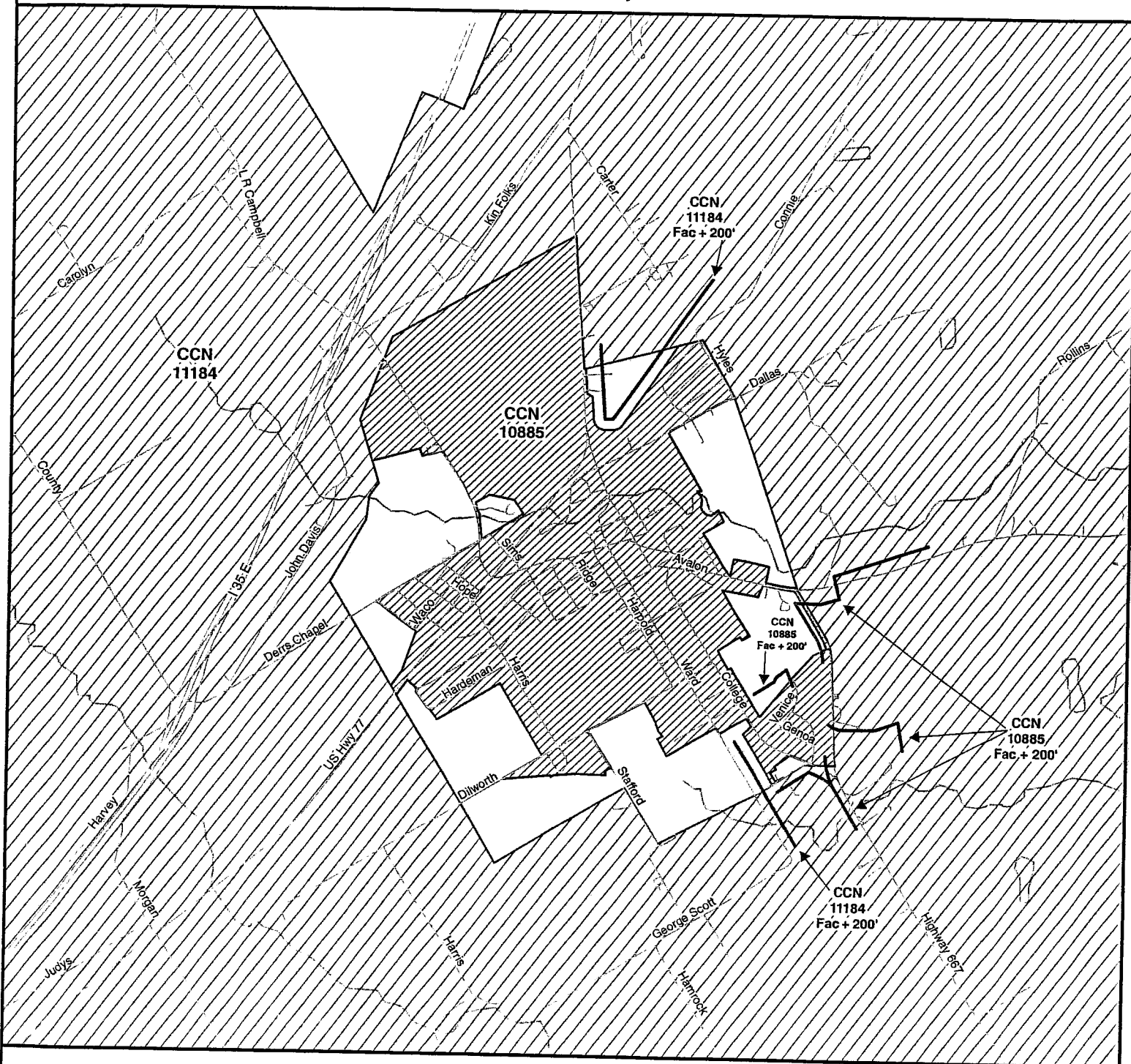
having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 10885



to provide continuous and adequate water utility service to that service area or those service areas in Ellis County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42954 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Italy, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 23rd day of January 2015.



City of Italy
Water Service Area
CCN No. 10885
PUC Docket No. 42954
Amended CCN No. 10885
in Ellis County



Water CCN Service Areas

-  10885 - City of Italy
-  11184 - South Ellis County WSC

Facilities + 200' CCNs

-  10885 - City of Italy
-  11184 - South Ellis County WSC

0 1,250 2,500
Feet



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Map by: Suzanne Jaster
Date created: Dec. 3, 2014
Project path: n:\gis\projects\applications\42954_water.mxd



Public Utility Commission Of Texas

By These Presents Be It Known To All That

CITY OF ITALY

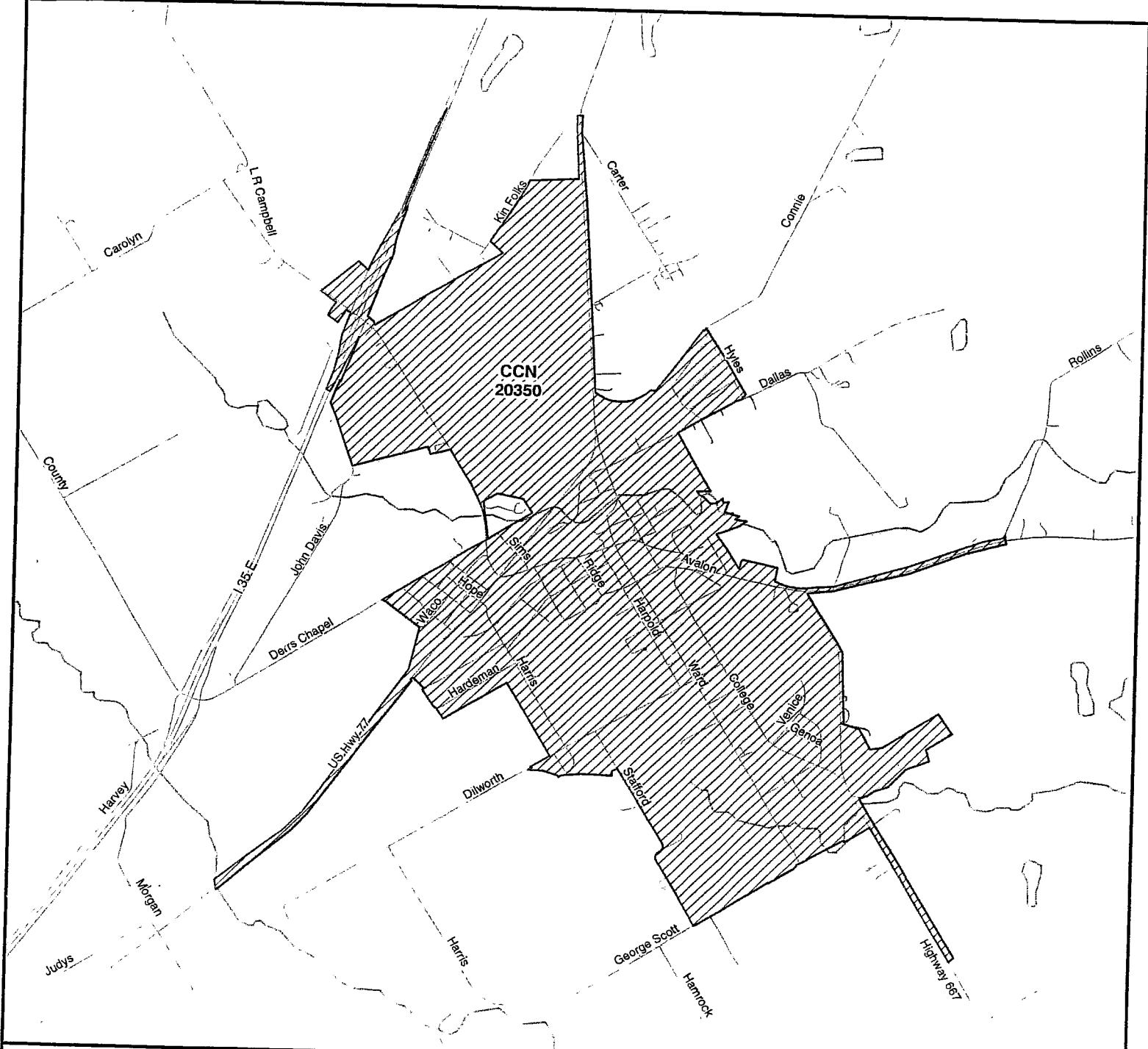
having duly applied for certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 20350


to provide continuous and adequate sewer utility service to that service area or those service areas in Ellis County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42954 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Italy, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 23rd day of January 2015.

City of Italy
Sewer Service Area
CCN No. 20350
PUC Docket No. 42954
Amended CCN No. 20350
in Ellis County



Sewer CCN Service Area

 20350 - City of Italy

0 1,250 2,500
Feet



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Map by: Suzanne Jaster
Date created: Dec. 4, 2014
Project path: n:/gis/projects/applications/42954_sewer.mxd

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