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| APPLICATION OF THE CITY OF LYFORD FOR A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY IN WILLACY COUNTY (33791-C) | § § § § § | PUBLIC UTILITY COMMISSION OF TEXAS |
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**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION AND REQUEST
FOR EXTENSION**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Supplemental Recommendation and Request for Extension. In support thereof, Staff shows the following:

I. BACKGROUND

The City of Lyford filed with the Texas Council on Environmental Quality (TCEQ) an application to amend a Certificate of Convenience and Necessity in Willacy County. The Public Utility Commission of Texas (Commission) received the application on November 20, 2014. On September 22, 2015, the Administrative Law Judge (ALJ) issued Order No. 5 requiring the City of Lyford to provide a large scale map and digital data by April 21, 2016. Order No. 5 also required Staff to file a final recommendation by May 23, 2016. Therefore, this pleading is timely.

II. RECOMMENDATION

Based on the attached memorandum of Lisa Fuentes and Tracy Harbour, Staff recommends that the Applicant provide a revised large scale map and digital data in the requested format and set to a known coordinate system. Absent this information, Staff is unable to determine the accurate location of the proposed water service area.

Therefore, as explained in the attached memorandum, Staff requests that the City of Lyford provide a large scale map showing the proposed water service area with enough detail to accurately locate the proposed area as well as revised digital data for the revised proposed water service area. Staff will work with the City of Lyford to work to resolve the mapping deficiency.

III. REQUEST FOR EXTENSION

Staff requests additional time to provide a final recommendation. Absent revised mapping information, Staff is unable to determine the accurate location of the proposed water service area and provide a final recommendation. Therefore, Staff requests that the City of Lyford be given until June 20, 2016 to provide the map and digital data. Staff also requests until July 18, 2016 to provide a final recommendation.

CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with this Supplemental Recommendation and Request for Extension.

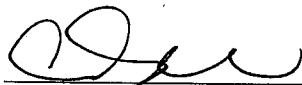
Dated: May 23, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
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 May 23, 2016, in accordance with 16 TAC § 22.74.



Christina R. Switzer

PUC Interoffice Memorandum

To: Christina Switzer; Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Work Leader
Water Utilities Division

From: Lisa Fuentes, Staff Engineer
Tracy Montes, GIS Specialist
Water Utilities Division

Date: May 18, 2016

Subject: **Docket No. 42962**, *Application of the City of Lyford for a Water Certificate of Convenience and Necessity (CCN) in Willacy County (33790-C)*

On December 5, 2001, the City of Lyford (Applicant) filed an application with the Texas Commission on Environmental Quality (TCEQ) to obtain a water CCN in Willacy County, pursuant to Tex. Water Code (TWC) §§ 13.244 and 16 Tex. Admin. Code §§ 24.102-24.107. On September 1, 2015, the application was transferred to the Commission as part of the transfer of the economic regulation of water and sewer utilities in Texas, pursuant to House Bill (HB) 1600 and Senate Bill (SB) 567.

On April 20, 2016, the Applicant filed a response to Commission Order No. 5. The response included a large scale map and digital data for the proposed water service area. The map does not clearly label roads, streets or highways in reference to the proposed water service area. The digital data could not be used, since it was not filed in the requested format or set to a known coordinate system. The Applicant did not file a signed document requested between the Applicant and North Alamo WSC stating they both concur with the proposed water map to reflect the agreement resulting from SOAH Docket No. 582-02-3005, TNRCC Docket No. 2002-0431-UCR. Since these items do not sufficiently address the requirements of Order No. 5, Staff cannot determine the accurate location of the proposed water service area for the application nor provide a final recommendation.

Staff recommends the Applicant file the following to resolve the mapping deficiencies:

- 1) A large scale map showing the revised proposed water service area with enough detail to accurately locate the proposed area in the vicinity of surrounding roads, streets, and highways. The map should clearly label the proposed water service area and all roads, streets and highways.
- 2) Digital data for the revised proposed water service area in a drawing (.dwg) format on a data disk (CD).
 - a. The proposed digital data must include the projection or coordinate system used to create the .dwg file.

- b. The .dwg file must only include the proposed water service area created as a continuous polygon, which is set to the coordinate system used to create the file. The .dwg file must not include any base map layers.
- c. Seven CD's labeled with the utility name and docket number assigned.

The large scale map and digital data must display the proposed water service area in the same location. Staff recommends the Applicant contact PUC's mapping staff for guidance to resolve the mapping deficiencies for this application.

- 3) In addition to the mapping information, the Applicant should file a signed document stating both the Applicant and North Alamo WSC concur with the proposed service area and that it reflects the agreement resulting from SOAH Docket No. 582-02-3005, TNRCC Docket No. 2002-0431-UCR.