

Control Number: 42964



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PUC DOCKET NO. 42964

APPLICATION OF THE CITY OF	§
BONHAM TO AMEND A	§
CERTIFICATE OF CONVENIENCE	§
AND NECESSITY FOR DUAL	§
CERTIFICATION WITH SOUTHWEST	§
FANNIN COUNTY SPECIAL UTILITY	§
DISTRICT AND WHITE SHED WATER	§
SUPPLY CORPORATION AND TO	§
DECERTIFY PORTIONS OF THE	§
CERTIFICATED AREA HELD BY BOIS	§
D'ARC MUNICIPAL UTILITY	§
DISTRICT AND RAVENNA	§
NUNNELEE WATER SUPPLY	§
CORPORATION IN FANNIN COUNTY	§
(35091-C)	§ §

PUBLIC UTILITY COMMISSION FULL OF TEXAS FULL NG OLERN

COMMISSION STAFF'S RESPONSE TO ORDER NO. 1

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas, representing the public interest and files this Response to Order No. 1 and would show the following:

I. BACKGROUND

The City of Bonham (Bonham) filed an application with the Texas Commission on Environmental Quality (TCEQ) to obtain dual certification with a portion of Certificate of Convenience and Necessity (CCN) Nos. 12406 and 10170, to decertify a portion of CCN No. 11753, and to amend CCN No. 11186 in Fannin County, Texas. This application was designated as TCEQ Application No. 35091-C. Bonham also filed an application to amend CCN No. 20460 in Fannin County, Texas. This application was designated as Application No. 35092-C. These applications were accepted for filing by the TCEQ on August 31, 2005. Both application were designated as TCEQ Docket No. 2006-0144-UCR. Effective September 1, 2014, Commission began the economic regulation of water and sewer utilities. On August 21, 2015, Order No. 1 was issued, requiring that Staff file an update on the status of this proceeding, a recommendation on the need for a hearing or on final disposition of the application, if appropriate at this time, or propose a procedural schedule, if necessary, by September 22, 2015.

II. STATUS REPORT

Staff has reviewed the documents included in the docket. It appears that the applications were processed in accordance with all applicable notice requirements, that protests were received

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on the application, and that the docket was referred to the State Office of Administrative Hearings (SOAH). Subsequently, all the protests were resolved and withdrawn, and the proceeding was remanded from SOAH to the TCEQ for final disposition. It also appears that a final order was drafted for the TCEQ Executive Director's signature; however, it does not appear that a final order was issued by the TCEQ. Because all the protests have been resolved, Staff recommends that the application be processed for final disposition based on the following procedural schedule:

Event	Date
Deadline for Staff to file its final recommendation	December 1, 2015
Deadline for parties to file proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs	December 15, 2015

III. REQUEST TO CONSOLIDATE DOCKETS

Order No. 1 also requested that Staff identify any documents in Docket No. 42964, related to Application No. 35092-C so that those documents can be relocated to Docket No. 42965. Because both Application Nos. 35091-C and 35092-C were processed in the same proceeding at TCEQ, Staff requests that the dockets be consolidated and restyled, and the final Notice of Approval address both applications.

DATED: September 22, 2015

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 22, 2015, in accordance with 16 Tex. Admin Code § 22.74.

ason Haas