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PUBLIC UTILITY COMMISSION

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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) §

OF TEXAS

JOINT PROPOSED NOTICE OF APPROVAL AND REQUEST TO ADMIT EVIDENCE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Joint Proposed Notice of Approval and Request to Admit Evidence, and would show the following:

I. JOINT PROPOSAL TO ADMIT EVIDENCE

Bonham and Staff recommend that the following be admitted as evidence into the record:

1. Bonham's Applications (Commission automated interchange system (AIS) Item No. 2);
2. Affidavit attesting to notice mailed on October 31, 2005 (AIS Item No. 9); and,
3. Commission Staff's recommendation regarding final disposition filed on December 18, 2015 (AIS Item No. 32).

II. JOINT PROPOSED NOTICE OF APPROVAL

Bonham and Staff have agreed on the attached Joint Proposed Notice of Approval. Bonham and Staff request that the ALJ issue a Notice in the form of the attached Joint Proposed Notice of Approval.

Dated: January 11, 2016

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director

Karen Hubbard
Managing Attorney
Legal Division



Jason Haas
Attorney-Legal Division
State Bar No. 24032386
(512) 936-7295 (telephone)
(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 January 11, 2016, in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas

DOCKET NO. 42964

APPLICATION OF THE CITY OF	§	PUBLIC UTILITY COMMISSION
BONHAM TO AMEND A	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY FOR DUAL	§	OF TEXAS
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)	§	

JOINT PROPOSED NOTICE OF APPROVAL

This Notice addresses the two applications (Applications) filed by the City of Bonham (Bonham) to 1) application 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, 2) to amend water CCN No. 11186 in Fannin County, Texas and to amend sewer CCN No. 20460 in Fannin County, Texas. The Public Utility Commission Staff recommended approval of the applications. The applications are approved.

The Commission adopts the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

Procedural History and Background

1. On August 31, 2005, the Applications filed by Bonham were accepted by the Texas Commission on Environmental Quality (TCEQ) to obtain dual certification with a portion of CCN Nos. 12406 and 10170, to decertify a portion of CCN No. 11753, to amend water CCN No. 11186 in Fannin County, Texas and to amend sewer CCN No. 20460 in Fannin County, Texas.
2. Bonham requested in the Applications the total area requested for water service including approximately 16,618 acres and 3382 current customers and the total area

requested for sewer service including approximately 16,618 acres and 3051 current customers.

3. Notice was provided by publication in the *Fannin County Special* on October 11, 2005.
4. Bonham mailed notice of the Application to neighboring systems, landowners, and cities and to neighboring utilities and affected parties on October 31, 2005.
5. The Applications received 69 protests and was referred to the State Office of Administrative Hearings (SOAH).
6. The following entities were designated as parties at SOAH: Bonham, Bois D'Arc MUD, Southwest Fannin SUD, and the Executive Director (ED) of the TCEQ.
7. Bonham eventually reached settlements with all the intervenors, and the ED withdrew its opposition to the application.
8. On February 12, 2013, the proceeding was dismissed from SOAH and remanded to the TCEQ for administrative processing.
9. On September 1, 2014, functions relating to the economic regulation of water and sewer utilities were transferred from the TCEQ to the Commission.
10. The Applications were received by the Commission on December 17, 2014.
11. Order No. 1 was issued on August 1, 2015, requesting a status update on the proceeding, including comments on the association between TCEQ applications 35091-C and 35092-C, which were under PUC Docket Nos. 42964 and 42965.
12. September 22, 2015, Staff filed a response to Order No. 1, indicating that all the protests were resolved and withdrawn, and that the TCEQ processed both applications 35091-C and 35092-C in the same proceeding, and that PUC Docket Nos. 42964 and 42965 should therefore be consolidated.
13. On September 25, 2015, Order No. 2 was issued, consolidating the proceedings and setting a procedural schedule for final disposition.
14. On December 17, 2015, Bonham submitted a signed consent form evidencing its consent to the map and certificates, which are included with this Notice.
15. On December 18, 2015, Staff recommended that the Applications be approved.
16. The following evidence is admitted into the record of this proceeding: (a) Bonham's Applications (Commission automated interchange system (AIS) Item No. 2); (b)

affidavit attesting to notice mailed on October 31, 2005 (AIS Item No. 9); and (c) Commission Staff's recommendation regarding final disposition filed on December 18, 2015 (AIS Item No. 32).

Informal Disposition

17. More than 15 days have passed since completion of the notice provided in this docket.
18. All hearing requests were resolved. No issues of fact or law remain disputed by any party.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority over this docket pursuant to the Tex. Water Code §§ 13.041, 13.241, and 13.246 (TWC) and 16 Tex. Admin. Code §§ 24.102 and 24.107 (TAC).
2. Bonham is a retail public utility as defined in TWC § 13.002(19).
3. Bonham provided public notice of the Applications in compliance with TWC § 13.246 and 16 TAC § 24.106.
4. After considering the factors in TWC § 13.246(c), Bonham demonstrated adequate financial, managerial, and technical capability to provide continuous and adequate service to the requested area.
5. Bonham demonstrated that the Applications meet the requirements set forth in TWC §§ 13.241, 13.244, and 13.246 and 16 TAC §§ 24.101 and 24.102 to be granted an amendment to its CCN.
6. Bonham demonstrated that an amendment of CCN Nos. 11086 and 20460 are necessary for the service, accommodation, convenience, or safety of the public, as required under TWC § 13.246(b) and 16 TAC § 24.102(c).
7. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

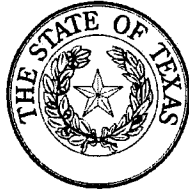
1. Bonham's Applications are approved.

2. Bonham's water CCN No. 11086 and sewer CCN No. 20460 are hereby amended to reflect that Bonham will provide retail water and sewer services to the requested service areas in Fannin County.
3. Bonham shall serve every future customer and applicant for service within the area certified under CCN Nos. 11086 and 20460, and such service shall be continuous and adequate.
4. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS the ____ day of January 2016.

PUBLIC UTILITY COMMISSION OF TEXAS

**STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE**



Public Utility Commission of Texas

By These Presents Be It Known To All That City of Bonham

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. 11186

to provide continuous and adequate water utility service to that service area or those service areas in Fannin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42964 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 Bonham, 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 obtain 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 _____ day of _____ 2015



Public Utility Commission of Texas

By These Presents Be It Known To All That City of Bonham

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. 20460

to provide continuous and adequate sewer utility service to that service area or those service areas in Fannin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42964 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 Bonham, 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 obtain 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 _____ day of _____ 2015



Public Utility Commission of Texas

By These Presents Be It Known To All That Southwest Fannin County Special Utility District

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. 12406

to provide continuous and adequate water utility service to that service area or those service areas in Fannin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42964 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 Southwest Fannin County Special Utility District, 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 obtain 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 _____ day of _____ 2015



Public Utility Commission of Texas

By These Presents Be It Known To All That Ravenna-Nunnelee Water Supply Corporation

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. 10155

to provide continuous and adequate water utility service to that service area or those service areas in Fannin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42964 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 Ravenna-Nunnelee Water Supply Corporation, 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 obtain 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 _____ day of _____ 2015



