



Control Number: 43041



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DOCKET NO. 43041

**APPLICATION OF THE CITY OF
DORCHESTER TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN GRAYSON
COUNTY (37917-C)**

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PUBLIC UTILITY COMMISSION

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COMMISSION STAFF'S RESPONSE TO ORDER NO. 6

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Response to Order No. 6, and would show the following:

I. BACKGROUND

On May 5, 2014, the City of Dorchester (Applicant or Dorchester) filed with the Texas Commission on Environmental Quality (TCEQ) an application (Application) to amend water Certificate of Convenience and Necessity (CCN) No. 12013 in Grayson County pursuant to Tex. Water Code §§ 13.242 thru 13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101 thru 24.107 (TAC). The Application was received by the Commission on October 1, 2014.

Order No. 5 deemed the Application insufficient and allowed the Applicant until May 12, 2015 to provide supplemental information requested by Staff on February 10, 2015. The Applicant filed supplemental documents on May 12, 2015 and asked for a 30-day extension to file supplemental information regarding digital mapping deficiencies. To date, Applicant has filed nothing that appears in the Commission's Interchange. Order No. 6 allowed Staff until July 2, 2015 to file a supplemental recommendation regarding whether the digital mapping deficiencies have been cured. Therefore, this pleading is timely filed.

II. RECOMMENDATION

As detailed in the memorandum (Attachment A) of Mary Lupo and Tracy Harbour of the Water Utilities Division, the Applicant's May 12, 2015 filing cured some of the previously noted deficiencies, but digital data and other mapping deficiencies remain. The Applicant asserts that it sent additional information after its March 12, 2015 filing. Staff recommends that Application is still insufficient for filing and that the Applicant be given until July 17, 2015 to cure the

deficiencies and file supplemental materials in accordance with the Commission's procedural rules or face dismissal of the Application. Attachment A includes instructions the Applicant may follow to improve its next filing, and Staff encourages the Applicant to Contact Staff with any questions. Additionally, the Applicant should not issue notice until the Application is deemed sufficient.

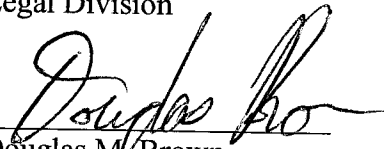
III. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendations.

Respectfully Submitted,

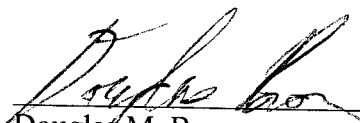
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DOCKET NO. 43041 CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 2, 2015 in accordance with 16 TAC § 22.74.


Douglas M. Brown

ATTACHMENT A

PUC Interoffice Memorandum

To: Douglas Brown, Attorney
Legal Division

Thru: Tammy Benter, Director
Water Utilities Division

From: Mary Lupo, Financial Analyst
Water Utilities Division

Date: July 2, 2015

Subject: Docket No. 43041, Application for City of Dorchester to Amend its Certificate of Convenience and Necessity (CCN) No. 12013 in Grayson County.

On May 1, 2014, the City of Dorchester (Applicant) filed an application with Texas Commission Environmental Quality (TCEQ) to amend its CCN in Grayson County pursuant to the criteria in the Texas Water Code, Chapter 13, and the TCEQ's rules outlined in Title 30, Texas Administrative Code (TAC) Chapter 291. On September 1, 2014, the rates and CCN programs were transferred from the TCEQ to the Public Utility Commission (PUC). This application was part of the transfer and is now under the PUC's purview.

Based on a review of the Applicant's May 12, 2015, Staff recommends that the application be deemed insufficient for filing and found administratively incomplete. Staff further recommends the Applicant address the deficiencies noted below.

1. The Applicant's digital data results in a slight overlap with the City of Howe's (CCN No. 11011) on the east side of their proposed CCN. Since the City of Howe is not subject to this application, the applicant should submit the following to address this overlap.
 - a. Submit revised digital data for the proposed service area removing the overlap.
 - b. Suggest applicant obtain PUC's official CCN digital data to help remove the overlap.
2. Provide a color copy of Exhibit A map referenced in the agreement with City of Dorchester for dual certification for a portion of Marilee SUD (10150).

If the Applicant fails to timely file the requested information, staff further recommends dismissal of the application.