



Control Number: 43070



Item Number: 12

Addendum StartPage: 0

RECEIVED

APPLICATION OF THE CITY OF EAST §
TAWAKONI FOR A CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
RAINS AND HUNT COUNTIES (37869-C) §

2015 MAR 13 PM 1:12
PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION

COMES NOW the Staff of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Final Disposition, and would show the following:

I. BACKGROUND

On November 8, 2013, the City of East Tawakoni (East Tawakoni) filed an application with the Texas Commission on Environmental Quality (TCEQ) to obtain a water Certificate of Convenience and Necessity (CCN) in Hunt and Rains counties. By TCEQ Interoffice Memorandum dated June 13, 2014, TCEQ Staff found that the East Tawakoni had demonstrated adequate financial and managerial capability to provide service. Proofs of Notice filed by East Tawakoni indicate that notice was completed in June and/or July of 2014.

Jurisdiction over this proceeding was transferred to the Commission on September 1, 2014. On January 16, 2015, Commission Staff filed a status update requesting additional time to prepare maps and a CCN certificate for the East Tawakoni's review and consent. On the same day, Order No. 4 was entered, requiring Commission Staff to file a recommendation on final disposition by March 13, 2015. Therefore, this pleading is timely filed. On March 11, 2015, East Tawakoni's consent to the map and certificates was filed.

II. RECOMMENDATION ON FINAL DISPOSITION

Staff has completed its formal review of the application on the merits and, based upon the attached memorandum of Jolie Mathis of the Commission's Water Utilities Division, Staff recommends approval of the application.

12

III. CONCLUSION

Staff recommends that an order be entered consistent with this filing.

Dated: March 13, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

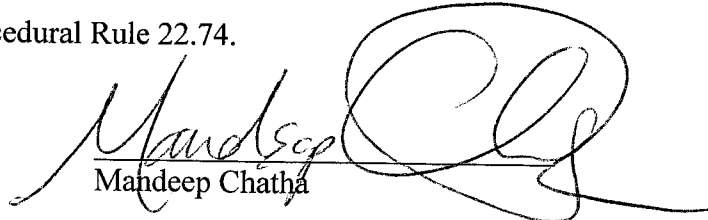
Stephen Mack
Managing Attorney-Legal Division



Mandeep Chatha
Attorney-Legal Division
State Bar No. 24082803
(512) 936-7163
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326

DOCKET NO. 43070 CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 13, 2015, in accordance with P.U.C. Procedural Rule 22.74.



Mandeep Chatha

Public Utility Commission of Texas

Memorandum

TO: Mandeep Chatha
Legal Division

THRU: Tammy Benter, Director
Water Utilities Division

FROM: Jolie Mathis, Engineering Specialist
Suzanne Burt, GIS Specialist
Water Utilities Division

SUBJECT: Staff Recommendation for Commission Approval of Docket No. 43070

DATE: March 11, 2015

On November 8, 2013, the City of East Tawakoni, filed an application with the Texas Commission on Environmental Quality (TCEQ) to obtain a water Certificate of Convenience and Necessity (CCN) in Hunt and Rains Counties, Texas pursuant to the criteria in the Texas Water Code, Chapter 13, and the TCEQ's rules outlined in Title 30, Texas Administrative Code (TAC), Sections 291.102 and 291.107. 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. The application is now being reviewed under the PUC's Substantive Rules in Chapter 24, §§24.102 - 24.107.

Notice of the application was provided to all affected parties in accordance with TWC § 13.246 and P.U.C. SUBST. R. 24.106. Notice to neighboring systems, landowners, and cities was issued on June 12, 2014. Newspaper publication was provided on June 17, 2014 and June 24, 2014, in the Rains County Leader and Greenville Herald Banner. The Rains County Leader is circulated in Rains County and the Greenville Herald Banner is circulated in Hunt County. Affidavits of notice were filed with the TCEQ and dated July 7, 2014. The comment period ended August 24, 2014, and no protests or requests to opt out requests were received.

Per TCEQ Interoffice Memorandum, dated June 13, 2014, TCEQ recommended finding that the City of East Tawakoni demonstrated adequate financial and managerial capability to provide service.

The Applicant meets all of the statutory requirements of TWC 13 and the PUC's Chapter 24 substantive rules and regulations. Approving this application to obtain a water Certificate of Convenience and Necessity (CCN) in Hunt and Rains Counties, Texas is necessary for the service, accommodation, convenience and safety of the public.

Staff recommends approval of the application. The City of East Tawakoni has consented to the attached map and certificate.

MAILING LIST FOR
APPLICATION NO. 37869-C
Docket No. 43070

CASH SUD
198 FM 1564 E.
P O BOX 8129
GREENVILLE, TEXAS 75404

MACBEE SUD
P O BOX 780
WILLS POINT, TEXAS 75169

RAINS CO. APPRAISAL DISTRICT
P O BOX 70
EMORY, TEXAS 75440

HUNT CO. APPRAISAL DISTRICT
4801 KING ST.
GREENVILLE, TEXAS 75403

SOUTH RAINS WSC
P O BOX 95
EMORY, TEXAS 75440

SOUTH TAWAKONI WSC
410 NORTH COMMERCE ST.
WILLS POINT, TEXAS 75169

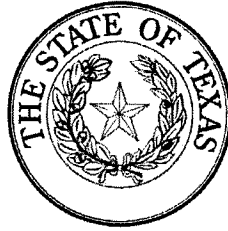
COUNTY JUDGE JOHN HORN
2500 LEE ST.
GREENVILLE, TEXAS 75401

COUNTY JUDGE WAYNE WOLFE
167 E. QUITMAN ST.
P O BOX 158
EMORY, TEXAS 75440

AQUA TEXAS
11100 BTITTMOORE PARK
HOUSTON, TEXAS 77041

CITY OF WEST TAWAKONI
1533 EAST STATE HWY. 276
QUINLAN, TEXAS 75474

COMBINED CONSUMERS SUD
10446 HWY. 751
P O BOX 2829
QUINLAN, TEXAS 75474



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of East Tawakoni

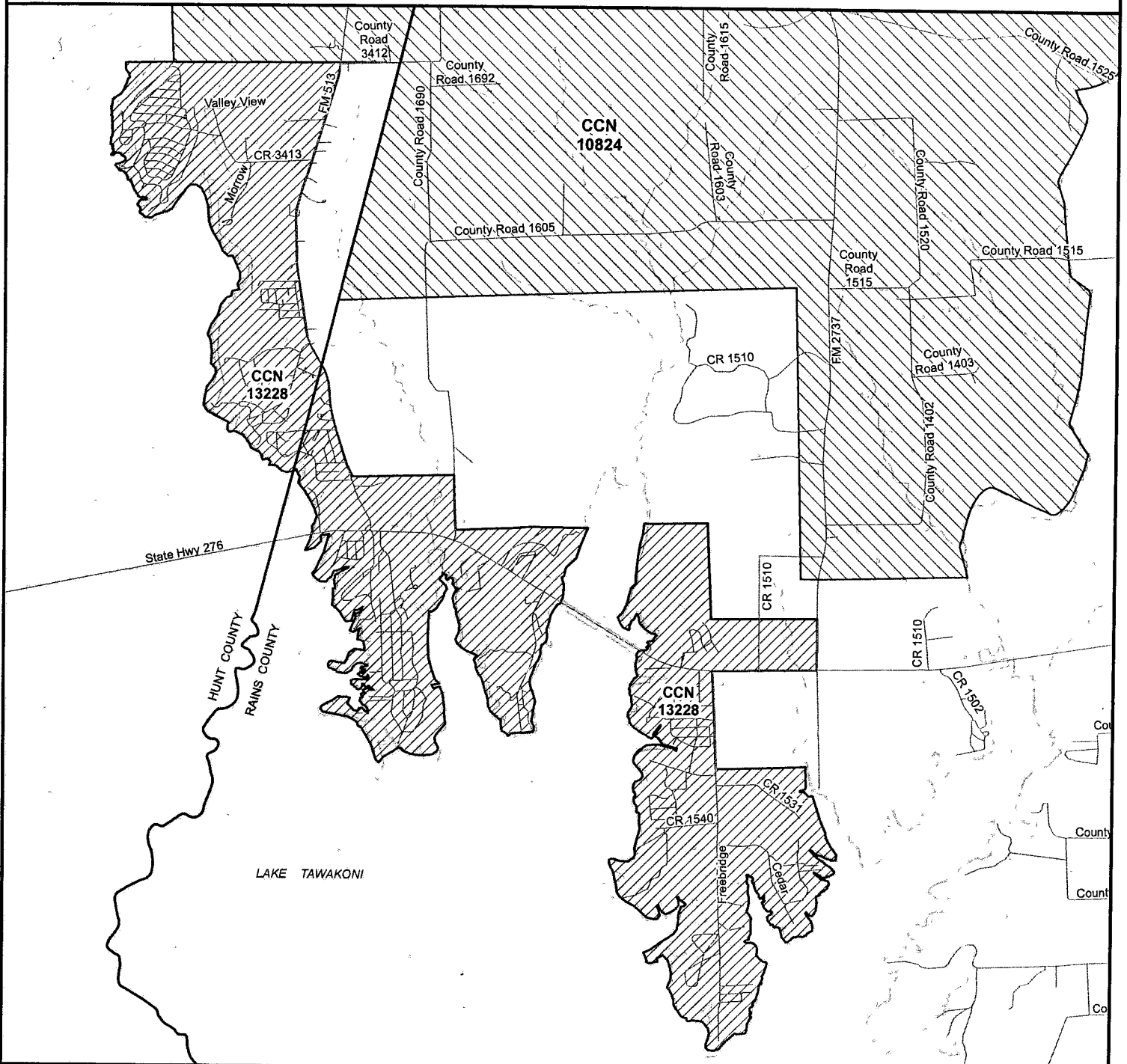
having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled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

Certificate of Convenience and Necessity No. 13228

to provide continuous and adequate water utility service to that service area or those service areas in Rains and Hunt County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 43070 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty City of East Tawakoni 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, the _____ day of _____ 2015.

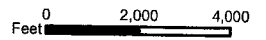
City of East Tawakoni
Water Service Area
CCN No. 13228
PUC Docket No. 43070
Hunt and Rains Counties



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

Water CCN Service Areas

-  13228 - City of East Tawakoni
-  10824 - Cash SUD



Map by: Suzanne Jaster
Date created: Jan. 14, 2015
Project path: n:/gis/projects/applications/43070.mxd