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DOCKET NO. 43177

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APPLICATION OF NI AMERICA  
TEXAS, LLC TO AMEND A  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN WISE COUNTY  
(37937-C)

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PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF TEXAS

**ORDER NO. 4  
DEEMING APPLICATION ADMINISTRATIVELY COMPLETE,  
ADDRESSING NOTICE; AND ESTABLISHING PROCEDURAL SCHEDULE**

**I. Application**

On May 30, 2014, NI America filed with the Texas Commission on Environmental Quality (TCEQ) an application to amend a certificate of convenience and necessity in Wise County. The application was received by the Public Utility Commission of Texas (Commission) on September 18, 2014. On January 5, 2015, Order No. 3 was issued finding the application administratively incomplete and deficient, and establishing a deadline and opportunity to cure. On January 15, 2015, Ni America amended its application.

**II. Commission Staff Recommendation on Administrative Completeness**

On February 3, 2015, Commission Staff filed additional comments on the sufficiency of the application as amended. Commission Staff finds that Ni America's application as amended is sufficient for further review. Consistent with Commission Staff's recommendation, Ni America's petition is deemed administratively complete.

**III. Commission Staff Recommendation on Notice**

Commission Staff has reviewed Ni America's proposed notice with regard to applicable statutes and rules, and recommends Ni America send the notice as specifically described in Commission Staff's February 3, 2015 filing.

Consistent with Commission Staff's recommendation, Ni America shall provide notice as directed by Commission Staff.

**IV. Procedural Schedule**

The following procedural schedule as proposed by Commission Staff is adopted:

<b>Event</b>	<b>Date</b>
Deadline for Ni America to provide and publish notice of its application	February 16, 2015
Deadline for Applicant to provide the Commission with affidavit of provision of notice and copy of the actual notice sent; deadline to submit a publishers' affidavit of notice	February 23, 2015, or 30 days from the date that notice was provided
Deadline for Interventions, filing of comments, or for Intervenors to request a hearing	March 23, 2015, or 30 days from provision of notice
Deadline for Commission Staff's recommendation on final disposition or to request a hearing on the merits	April 6, 2015
<b><i>If Qualified for Informal Disposition:</i></b>	
Deadline for Ni America to request a hearing or respond to Staff's recommendation on final disposition; or if no disputed issues exist, deadline for parties to file a proposed notice of approval, including findings of fact, conclusions of law, and ordering paragraphs	April 20, 2015

SIGNED AT AUSTIN, TEXAS the 6<sup>th</sup> day of February 2015.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
**IRENE MONTELONGO**  
**DIRECTOR, DOCKET MANAGEMENT**