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**DOCKET NO. 43253**

**APPLICATION OF THE CITY OF  
SCHERTZ TO AMEND ITS SEWER  
CERTIFICATE OF CONVENIENCE  
NECESSITY IN BEXAR COUNTY (37913-C)**

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**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

**FILING CLERK**

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**COMMISSION STAFF'S REQUEST FOR EXTENSION OF TIME TO RESPOND TO  
ORDER NO. 11**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Request for Extension of Time to Respond to Order No. 11. In support thereof, Staff shows the following:

**I. BACKGROUND**

On May 9, 2014, the City of Schertz, Texas (the City) filed an application to amend its sewer certificate of convenience and necessity (CCN) No. 20271 in Bexar County, Texas with the Texas Commission on Environmental Quality (TCEQ). The City requests to amend its CCN by obtaining dual certification for the proposed area, which is currently held by the San Antonio River Authority (SARA).

On September 1, 2014 the economic regulation of water and wastewater utilities was transferred from the TCEQ to the Public Utility Commission of Texas (Commission). On November 25, 2014, January 20, 2015, and March 31, 2015, the City provided supplemental information to cure certain deficiencies identified by Commission Staff. On May 1, 2015, Commission Staff recommended the amended application be found administratively complete. On May 5, 2015, the Administrative Law Judge (ALJ) issued Order No. 10 and deemed the application, as amended, administratively complete and accepted for filing. Pursuant to 16 Tex. Admin. Code § 24.106 (TAC), the City mailed notifications of its proposed CCN amendment to neighboring utilities and landowners. On June 17, 2015, a request to opt-out of the proposed area was filed by Ms. Vernell S. Handley. Thereafter, on July 14, 2015, the City submitted revised hard-copy maps and digital data in response to Ms. Handley's request to opt-out of the City's proposed service area. On August 11, 2015, Commission Staff requested additional information from the City, including additional mapping information. On August 13, 2015, Order No. 11 was issued setting September 15, 2015 as the deadline for the City to supplement the application and October 15, 2015 as the deadline for Commission Staff to file a

recommendation on the amendment application and propose an additional procedural schedule. Therefore, this request is timely filed.

## **II. COMMISSION STAFF'S REQUEST FOR EXTENSION**

On August 20, 2015, the City provided (1) a large scale property map showing the location of Ms. Handley's property, (2) a revised general location map showing both proposed service areas with surrounding roads, streets, highways, and county names, (3) revised digital data for the proposed service area after removal of Ms. Handley's property, and (4) resubmittal of the second affidavit of Notice to Neighboring Utilities, Landowners and Affected Parties. On October 1, 2015, after discussion with Commission Staff, the City provided an explanation of the August 20, 2015 revised mapping exhibits. Commission Staff has been diligently working with the City to obtain all necessary information to complete Staff's review. However, at this time Commission Staff is in the process of obtaining additional information. Specifically, Commission Staff is working with the City in order to obtain an additional revised general location map showing both proposed service areas, the area of dual certification and the area of decertification, including the surrounding roads, streets, and highways. In addition, Commission Staff has been working with the City in order to obtain revised total acreage for the proposed service area of dual certification that matches the acreage provided with the revised digital data and the revised metes and bounds description. Therefore, at this time, Commission Staff respectfully requests additional time in order to comply with Order No. 11. Due to the necessity of additional information and to allow parties adequate time to work through the remaining mapping issues, Staff requests the procedural schedule be amended as follows:

<b>Event</b>	<b>Date</b>
Deadline for the City to supplement the application	October 23, 2015
Deadline for Commission Staff to file a recommendation on the amended application or request a new procedural schedule	November 19, 2015

## **III. CONCLUSION**

Commission Staff respectfully requests that the ALJ adopt the above procedural schedule and extend the deadline for Commission Staff to file a recommendation on the amended application to November 19, 2015.

**Dated:** October 13, 2015

Respectfully Submitted,

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Division Director-Legal Division

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**DOCKET NO. 43253**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 13<sup>th</sup> of October, 2015, in accordance with 16 TAC § 22.74.

Maria Faconti  
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