

Control Number: 43340



Item Number: 15

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<p>APPLICATION OF CRYSTAL SPRINGS WATER CO., INC. TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY IN MONTGOMERY COUNTY (37913-C)</p>	<p>§ § § §</p>	<p>2015 JAN -7 PM 1:57 PUBLIC UTILITY COMMISSION PUBLIC UTILITY COMMISSION FILING CLERK OF TEXAS</p>
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**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY**

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

**I. BACKGROUND**

On May 7, 2014, the Crystal Springs Water Co., Inc. (Applicant), an investor owner utility, filed with the Texas Commission on Environmental Quality (TCEQ) an application to amend its water certificate of convenience and necessity (CCN) No. 11373 in Montgomery County, Texas, pursuant to TEX. WATER CODE ANN. §§ 13.246(c), 13.254 and 30 TEX. ADMIN. CODE § 291.105<sup>1</sup>. This application was received by the Commission on September 15, 2014. The Applicant requests to amend its CCN by including a 182.323 tract of land in Montgomery County that has been released from the Town of Cut and Shoot, CCN No. 11615. This tract of land currently has no customers.

On October 20, 2014, Commission Staff filed comments on the administrative completeness of the application, stating that the application is not administratively complete and should be deemed deficient. On October 24, 2014, the Commission issued Order No. 3, requiring the Applicant to amend its application to cure the deficiencies noted by Staff. As the Applicant needed additional time to cure a cited deficiency by submitting a TCEQ approved water system plan, on December 4, 2014, the Commission issued Order No. 4, which directed the Applicant to provide the water system plan by December 23, 2014. Order No. 4 also directed Staff to file its

<sup>1</sup> Currently P.U.C. SUBST. R. 24.105.

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recommendation on the administrative completeness of Applicant's application by January 7, 2015. Therefore, this pleading is timely filed.

## **II. RECCOMENDATION ON ADMINISTRATIVE COMPLETENESS OF APPLICATION**

On November 14, 2014 and December 2, 2014, the Applicant submitted additional documentation to cure its deficiencies. Staff has reviewed the Applicant's application and additional documentation for sufficiency and, based on the attached memoranda of Mary Lupo of the Commission's Water Utility Division, Staff recommends the application be deemed sufficient for filing.

## **III. PROCEDURAL SCHEDULE**

As the application is sufficient for filing, Staff recommends the following procedural schedule:

<b><u>Event</u></b>	<b><u>Date</u></b>
Deadline for Water Utilities Division to complete final mapping and send Applicant consent form of the final map.	February 6, 2015
Deadline for Applicants to submit documentation of it consent of final map of the subject area to the Water Utilities Division.	March 9, 2015
Deadline for Commission Staff's recommendation on final disposition.	March 18, 2015
Deadline for the parties file a proposed notice of approval, including fact statements, legal conclusions and ordering paragraphs.	April 15, 2015

## **IV. CONCLUSION**

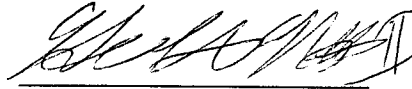
For the foregoing reasons, Staff respectfully requests that an order issue consistent with this Response.

**Date: January 7, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Karen S. Hubbard  
Managing Attorney  
Legal Division

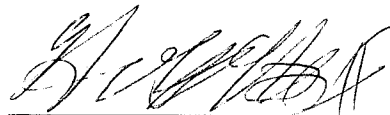


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**PUC DOCKET NO. 43340**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 9<sup>th</sup> day of December, 2014 in accordance with P.U.C. Procedural Rule 22.74.



Hollis Henley

## PUC Interoffice Memorandum

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**To:** Hollis Henley  
Legal Division

**Thru:** Tammy Benter, Director  
Water Utilities Division

**From:** Mary Lupo, Utility Rates Analyst/Auditor  
Water Utilities Division

**Date:** January 6, 2015

**Subject:** Docket No. 43340, Application from Crystal Springs Water Company dba Crystal Springs Water (Crystal Springs) to Amend Certificate of Convenience and Necessity (CCN) No. 11373 in Montgomery County (37916-C)

On May 7, 2014, Crystal Springs Water Company has filed an application to amend their CCN area in Montgomery 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), Sections 291.101 – 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 SUBST. Rules in Chapters §§24.101 – 24.107.

Based on staff's review the application, as well as supplemental information filed by the Applicant on November 14, 2014 and December 2, 2014, all the deficiencies cited in staff's prior memo have been cured. Therefore I recommend that the application be deemed sufficient for filing.

Staff requests 30 days for the completion of the final mapping. Once the final mapping is complete, Staff requests an additional 30 days to receive the Applicant's consent to the final map, the CCN certificate and the tariff. Once the signed consent is filed with the Commission, staff will prepare a memo requesting final approval of the application.