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PUC DOCKET NO. 43360

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PUBLIC UTILITY COMMISSION
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APPLICATION OF THE CITY OF
PLEASANTON FOR CERTIFICATES
OF CONVENIENCE AND NECESSITY
IN ATASCOSA COUNTY (37978-C &
37991-C)

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PUBLIC UTILITY COMMISSION
OF TEXAS

COMMISSION STAFF'S RECOMMENDATION

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

I. BACKGROUND

On July 9, 2014, the City of Pleasanton (City) filed with the Texas Commission on Environmental Quality (TCEQ) an application for water and sewer Certificates of Convenience and Necessity in Atascosa County. Order No. 3, issued on October 28, 2014, found the application administratively deficient and required that the City file additional information to address the deficiency. Order No. 4, issued on December 15, 2014, granted Staff's request for additional time to evaluate the additional information filed by the City. The deadline for Commission Staff to file comments on the administrative completeness was extended to January 8, 2015. Accordingly, this response is timely filed.

II. RECOMMENDATION

Based on the enclosed memorandum from George Gogonas, Utility Rates Analyst/Auditor for the Water Utilities Division, Staff finds that the application is deficient and recommends that the City be given 30 days to amend the notice and list of entities to which the notice must be sent as set out in the memorandum. Staff proposes to file additional comments regarding completeness of the amended application, along with a proposed procedural schedule, once the additional information is received.

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Dated: January 8, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

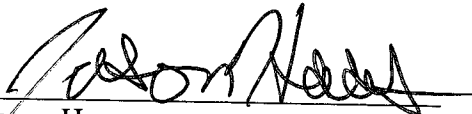
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 8, 2015, in accordance with P.U.C. Procedural Rule 22.74.


Jason Haas

PUC Interoffice Memorandum

To: Jason Haas, Attorney
Legal Division

Through: Tammy Benter, Director
Water Utilities Division

From: George Gogonas, Utility Rates Analyst/Auditor
Water Utilities Division

Date: January 8, 2015

Subject: Executive Summary and Staff Recommendation for Commission Approval of Control No. 43360

The City of Pleasanton, (Applicant) filed an application to obtain new water and sewer Certificates of Convenience and Necessity (CCN) in Atascosa County, pursuant to the criteria in the Texas Water Code, Subchapter G.

The Applicant has not met the Public Utility Commission's mapping requirements due to incomplete mapping information. Based upon my review of the information in the application, I recommend the Applicant correct the following deficiencies:

1. Revise the notice documents describing the general location of both the water and sewer service areas, acreage and current customers to read as follows:

“The proposed water and sewer utility service areas is located approximately 3 miles to the north and south of downtown City of Pleasanton, Texas, and is generally bounded on the north by the intersection of US Highway 37 and Saint Augustine; on the east by Interstate Highway 37; on the south by CR 430; on the west by State Highway 16.”

“The total area being requested for the **proposed water service area** includes approximately 17,555 acres and 4,414 current customers. The total area being requested for the **proposed sewer service area** includes approximately 24,305 acres and 3,877 current customers.”

2. The applicant provided an incomplete list of entities who must receive notice within a 5-mile boundary of the proposed water and sewer service areas. In addition to those utilities listed in the application, the Applicant should provide notice to the following entities:
 - Nueces River Authority (District ID 6125000)
 - Evergreen UWCD (District ID 2892000)

3. The Applicant be ordered to provide correct notice of the application to the following:
 - a) any districts, groundwater conservation districts, counties, utilities, cities, cities with an extraterritorial jurisdiction within five (5) miles of the proposed water and sewer service areas; any city with an extraterritorial jurisdiction which overlaps the proposed water and sewer service areas;
 - b) landowners with more than 25 acres and any affected parties in the proposed water and sewer service areas. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies; and
 - c) notice to the public which must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Wise County;

4. Include a copy of a map showing the proposed water and sewer service areas with the individual notices to neighboring utilities, other affected parties and each landowner. It is the Applicant's burden to provide accurate maps delineating both the proposed water and sewer service areas with each individual notice. Information related to districts including addresses can be obtained by the Applicant from the TCEQ web site located at <http://www14.tceq.texas.gov/iwud/>