

Control Number: 43360



Item Number: 60

Addendum StartPage: 0

SOAH DOCKET NO. 473-16-0101.WS
PUC DOCKET NO. 43360

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PUBLIC UTILITY COMMISSION
FILING CLERK

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

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY

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

I. BACKGROUND

On January 27, 2016, the Administrative Law Judge (ALJ) issued SOAH Order No. 7, requiring the City of Pleasanton (Pleasanton) to file additional mapping information by April 15, 2016, and Staff to file its recommendation on the additional information and recommendation on further disposition by May 13, 2016.

II. RECOMMENDATION ON SUFFICIENCY

Pleasanton filed additional mapping information on April 15, 2016. Staff recommends that the mapping information is deficient based on the attached memorandum from Elisabeth English, Engineering Specialist, and Tracy Montes, GIS Specialist of the Water Utilities Division. Specifically, Staff requests that Pleasanton provide the signed "Exhibit A" large scale maps for both the proposed water and sewer service areas as referenced in the agreement between the Applicant and the City of Jourdanton and revised small and large scale maps with digital data only showing the revised proposed water and proposed sewer service areas after removing the property subject to each landowner's opt out request. Staff recommends that the application remain at SOAH at this time, and recommends that the Applicant file additional mapping information to address the deficiencies set out in the Staff memorandum. Staff recommends the following procedural schedule:

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Event	Date
Deadline for Applicant to submit mapping information addressing issues in Staff's memorandum	June 13, 2016
Deadline for Staff to submit recommendation on sufficiency of mapping information and recommendation on further disposition	July 13, 2016

Dated: May 13, 2016

Respectfully Submitted,

Margaret Uhlig Pemberton
 Division Director
 Legal Division

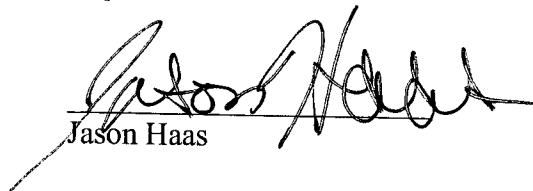
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 Public Utility Commission of Texas
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 P.O. Box 13326
 Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 13, 2016 in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas

PUC Interoffice Memorandum

To: Jason Haas, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Manager
Water Utilities Division

From: Elisabeth English, Engineering Specialist
Tracy Montes, GIS Specialist
Water Utilities Division

Date: May 13, 2016

Subject: **Docket No. 43360:** *Application of City of Pleasanton to obtain water and sewer Certificate of Convenience and Necessity in Atascosa County*

On July 9, 2014 the City of Pleasanton, (Applicant), filed an application to obtain water and sewer Certificates of Convenience and Necessity (CCN), in Atascosa County, pursuant to Texas Water Code (TWC), §§ 13.242-.250 (TWC) and 16 Texas Admin. Code §§ 24.101-.107 (TAC). The Application was referred to the State Office of Administrative Hearings (SOAH) on September 9, 2015. A protest to the application was filed by the City of Jourdanon, who has subsequently withdrawn as a protestant to the proceeding. Staff continues to have unresolved issues with the Application.

The maps and digital data, filed on April 15, 2016, remain deficient. Staff requests the Applicant provide the referenced signed agreement, and the corresponding maps, and digital data, prior to being dismissed by SOAH and remanded back to the Commission.

Specifically, Staff requests the Applicant file the following to resolve the mapping deficiencies:

1. The signed "Exhibit A" large scale maps for both the proposed water and sewer service areas as referenced in the agreement between the Applicant and the City of Jourdanon. Both large scale maps must show the revised proposed water and sewer service areas in reference to verifiable man-made landmarks such as streets and highways as agreed upon by the Applicant and the City of Jourdanon.
2. Revised small and large scale maps with digital data only showing the revised proposed water and proposed sewer service areas after removing the property subject to each landowner's opt out request. In addition, the proposed water and sewer service areas by should be revised to include the changes per the agreement with the City of Jourdanon. The revised proposed water and sewer service areas must be shown the same on all hard copy maps and digital data filed below. Since each boundary is different, Staff requests the

applicant file separate small and large scale map for the proposed water and the proposed sewer service areas, as detailed below.

- a. Revised large scale (detailed) maps only showing the revised proposed water and sewer service areas with enough detail to accurately locate the service areas in reference to verifiable man-made and natural landmarks such as streets, railroads and rivers.
- b. Digital data for each of the seven landowner's properties in a shapefile format. The digital data must include the coordinate system and projection used to create each polygon (property).
 - Also, provide written clarification for the source of each landowner's property used to create the property maps, such as the property ID, and the appraisal district where the metes and bounds and/or digital data were acquired.