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DOCKET NO. 43366

APPLICATION OF THE CITY OF §
PRIMERA FOR A CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
CAMERON COUNTY (37871-C) §

PUBLIC UTILITY COMMISSION
OF TEXAS

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**ORDER NO. 3
ORDER OF DISMISSAL**

I. Application

On March 17, 2014, the City of Primera filed with the Texas Commission on Environmental Quality (TCEQ) an application to obtain a new water Certificate of Convenience and Necessity (CCN) in Cameron County. On September 1, 2014, the processing of the application was transferred to the Public Utility Commission (Commission). Order No. 2, issued on September 30, 2014, requested Commission Staff to file comments on the status of the proceeding.

II. Status Update

On October 28, 2014, Commission Staff filed a response to Order No. 2 and motion to dismiss. Upon review, Commission Staff has determined that on June 5, 2014, TCEQ notified the City of Primera that the City's application filed on March 17, 2014 did not meet the requirements for a determination of administrative completeness. In response, the City submitted revised mapping in an attempt to cure the deficiencies; however, the application still did not meet the TCEQ's mapping requirements. On August 26, 2014, TCEQ sent a letter notifying the City that the application had been administratively closed because the revised mapping did not cure the application's deficiencies. When this proceeding transferred to the Commission on September 1, 2014, it was assigned Docket No. 43366.

Commission Staff reported that no motion to overturn was filed at TCEQ prior to September 1, 2014 or at the Commission thereafter. Consequently, the decision of the TCEQ is no longer subject to challenge. No further action regarding this matter has been taken or is required. Staff recommends that Docket No. 43366 be closed.

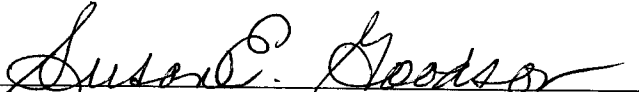
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III. Dismissal

Consistent with Staff's recommendation, based upon the foregoing, this matter is dismissed from the Commission's docket and Docket No. 43366 is hereby closed.

SIGNED AT AUSTIN, TEXAS the 3rd day of November 2014.

PUBLIC UTILITY COMMISSION OF TEXAS


SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE