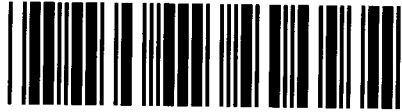




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DOCKET NO. 43368

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APPLICATION OF CURTIS J. §  
SHUPAK AND HDU SERVICES, LLC §  
FOR SALE, TRANSFER, OR MERGER §  
OF FACILITIES AND CERTIFICATE §  
OF CONVENIENCE AND NECESSITY §  
IN BURLESON COUNTY (37955-S) §

PUBLIC UTILITY COMMISSION  
OF TEXAS

**ORDER NO. 3  
FINDING APPLICATION INCOMPLETE  
AND NOTICE INSUFFICIENT**

On October 21, 2014, Public Utility Commission of Texas (Commission) Staff responded to Order No. 2 regarding the above-styled and numbered proceeding.

**Application.** Commission Staff stated the application of Curtis J. Shupak (Shupak) and HDU Services, LLC (HDU) was deficient in the following areas: 1) fails to provide a general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county; 2) failed to provide a map showing the proposed area by: (a) a metes and bounds survey certified by a licensed state or registered professional land surveyor; or (b) projectable digital data with metadata, with proposed areas clearly labelled in a single record, and a data disk labeled with Shupak's name; and 3) failed to provide separate and additional maps of the proposed area(s) to show the following: (a) all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and (b) any facilities, customers or area currently being served outside the applicant's certificated area(s) including a map showing requests for water and/or sewer service within the proposed service area(s).. Staff recommends Shupak and HDU be allowed thirty (30) days to amend the application to cure the deficiencies identified. Accordingly, the application is deficient.

On or before **November 24, 2014**, Shupak and HDU shall cure the deficiencies identified by Staff.

**Notice.** Commission Staff stated because there are deficiencies regarding the maps in this application Shupak and HDU should not send out notice to affected parties until these deficiencies are corrected. Accordingly, the notice is deemed insufficient.

**Procedural Schedule.** Commission Staff stated because the application of Shupak and HDU is administratively incomplete and notice is insufficient, the application is not considered filed. After Shupak and HDU have amended the application and Staff determines it to be administratively complete, Staff shall propose a procedural schedule containing deadlines consistent with the 120-day period prescribed by the Commission's substantive rules.

SIGNED AT AUSTIN, TEXAS on the 24<sup>th</sup> day of October 2014.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in cursive script, appearing to read "Irene Montelongo", is written over a horizontal line.

IRENE MONTELONGO  
DIRECTOR, DOCKET MANAGEMENT