

Control Number: 43452



Item Number: 54

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APPLICATION OF THE TOWN OF §  
 LITTLE ELM TO AMEND ITS §  
 CERTIFICATE OF CONVENIENCE §  
 AND NECESSITY AND TO §  
 DECERTIFY PORTIONS OF §  
 CERTIFICATES HELD BY MUSTANG §  
 SPECIAL UTILITY DISTRICT AND §  
 TERRA SOUTHWEST INC. IN §  
 DENTON COUNTY (37896-C, 37897-C) §

2016 AUG 25 AM 11:28  
 PUBLIC UTILITY COMMISSION  
 COMMISSION OF TEXAS

### COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files its Supplemental Recommendation. In support of its Supplemental Recommendation, Staff states the following:

#### I. Background

The Town of Little Elm requests an amendment to its sewer certificate of convenience and necessity (sewer CCN No. 20931) for an additional service area in Denton County, Texas. The Town of Little Elm sought to add additional service area in Denton County, Texas.

On July 20, 2016, the Administrative Law Judge issued Order No. 20, which deemed the Town of Little Elm's application administratively complete. Additionally, Order No. 20 required the Town of Little Elm to provide notice of its application to certain entities and individuals and to publish notice of its application in a newspaper of general circulation in Denton County, Texas.

On August 18, 2016, the Town of Little Elm filed affidavits regarding the provision and publication of notice of its application. The Town of Little Elm provided notice of its application to certain entities and individuals on July 25, 2016. Additionally, the Town of Little Elm published notice of its application on July 28 and August 4, 2016 in the *Denton Record Chronicle*, a newspaper of general circulation in Denton County, Texas.

#### II. Supplemental Recommendation

Staff has reviewed the Town of Little Elm's affidavits, and Staff recommends that the notice provided by the Town of Little Elm be deemed sufficient provided that the Town of Little Elm timely provide notice of its application to Denton County Municipal Utility District No. 8.

Staff recommended that Denton County Municipal Utility District No. 8 be provided notice of the Town of Little Elm's application, but the Town of Little Elm's affidavit did not list this entity as receiving notice.

### **III. Procedural Schedule**

To assist in the processing of the Town of Little Elm's application, Staff requests that the Commission adopt the following procedural schedule:

<b>Event</b>	<b>Deadline</b>
Deadline for the Town of Little Elm to provide notice of its application to Denton County Municipal Utility District No. 8	September 16, 2016
Deadline to intervene and deadline for intervenors to request a hearing	October 14, 2016
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to the Town of Little Elm for review	December 16, 2016
Deadline for the Town of Little Elm to file signed consent forms with the Commission	January 6, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Town of Little Elm's application	January 13, 2017
If no hearing is requested, deadline for parties to file a joint proposed order, including findings of fact and conclusions of law	January 20, 2017

### **IV. Conclusion**

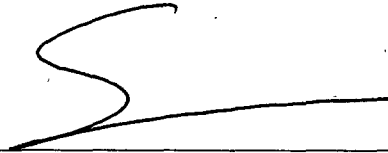
Staff recommends that the notice provided by the Town of Little Elm be deemed sufficient provided that the Town of Little Elm timely provide notice of its application to Denton County Municipal Utility District No. 8. Additionally, Staff requests that the Commission adopt the proposed procedural schedule.

Date: August 26, 2016

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

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**DOCKET NO. 43452**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on August 26, 2016, in accordance with 16 TAC § 22.74.



Sam Chang