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DOCKET NO. 43452

2014 DEC 16 PM 3:13
PUBLIC UTILITY COMMISSION
OF TEXAS

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)	§

ORDER NO. 3
FINDING APPLICATION INCOMPLETE AND DEFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE

I. Application

On April 24, 2014, the Texas Commission on Environmental Quality (TCEQ) received an application from the Town of Little Elm (Little Elm) to amend its Certificate of Convenience and Necessity (CCN) and decertify portions of certificates held by Mustang Special Utility District (Mustang). On September 1, 2014, the processing of the application was transferred to the Public Utility Commission of Texas (Commission).

II. Staff Recommendation on Administrative Completeness of the Application

On December 12, 2014, Commission Staff filed comments on the application. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies, as specifically described in Commission Staff's December 12, 2014 filing and the attached memorandum of Debbie Reyes Tamayo, Program Specialist, Water Utilities Division. Pursuant to P.U.C. SUBST. R. 24.8(a), applications are not considered filed until a determination of administrative completeness is made, thus at this time the application is not considered filed with the Commission.

III. Proposed Procedural Schedule

Commission Staff proposes that Applicant be given thirty (30) days to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional

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comments regarding completeness of the amended application, along with a proposed procedural schedule once the application is supplemented.

IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure

Consistent with Commission Staff's recommendation, Little Elm's application is found administratively incomplete and deficient. On or before **January 16, 2014**, Little Elm shall amend its application to cure the deficiencies noted by Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule within ten working days of receipt of the amended application.

SIGNED AT AUSTIN, TEXAS the 16th day of December 2014.

PUBLIC UTILITY COMMISSION OF TEXAS


IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT

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