

Control Number: 43832



Item Number: 50

Addendum StartPage: 0

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APPLICATION OF THE PALO DURO § BEFORE THE STATE OFFICE PUBLIC UTILITY COMMISSION
SERVICE COMPANY, INC. TO § FILING CLERK
AMEND ITS CERTIFICATE OF § OF
CONVENIENCE AND §
NECESSITY NO. 12200 IN PARKER §
AND WISE COUNTY § ADMINISTRATIVE HEARINGS

JOINT PROPOSED ORDER AND MOTION TO ADMIT EVIDENCE AND MOTION TO REMAND

COMES NOW the Staff of the Public Utility Commission of Texas (“Staff”), representing the public interest, together with Palo Duro Service Company, Inc. (“Palo Duro” or “Applicant”), and file this Joint Proposed Order, Motion to Admit Evidence and Motion to Remand.

I. BACKGROUND

On November 21, 2014, Palo Duro filed with the Public Utility Commission of Texas (“Commission”) an application (“Application”) to amend its water certificate of convenience and necessity (“CCN”) No. 12200 in Parker and Wise County pursuant to Tex. Water Code Chapter 13 and 16 Tex. Admin. Code §§ 24.101 – 24.107. The Application was received by the Commission on February 13, 2015. On May 6, 2015, the Application was deemed sufficient for filing. The Applicant provided the required affidavits of notice on June 18, 2015.

II. JOINT MOTION TO ADMIT EVIDENCE

The Parties move to admit the following evidence into the record of this proceeding: (a) the Palo Duro’s February 13, 2015 Application (Commission automated interchange system [AIS] Item No. 3, filed February 13, 2015); (b) a publisher’s affidavit dated May 20 and May 27, 2015 and an affidavit of notice to neighboring systems, landowners, cities and other affected parties dated May 13 and May 28, 2015 (AIS Item No. 13, filed June 18, 2015); (c) Consent Form signed by the Applicant with attached map and revised CCN (AIS Item No. 46 filed on August 17, 2016); and (d) Commission Staff’s Final Recommendation for approval and the Staff memo attachment thereto (AIS Item No. 47, filed August 17, 2016).

III. MOTION TO REMAND TO THE COMMISSION

The Proposed Order resolves all issues in this proceeding. Palo Duro and Staff request that the Administrative Law Judge (“ALJ”) enter an order dismiss this case from the SOAH docket and remanding it to the Commission for consideration of the Proposed Order.

IV. PROPOSED ORDER

The attached Joint Proposed Order would grant the Palo Duro’s Application to amend its water CCN No. 12200 in Parker and Wise County.

IV. CONCLUSION

The Parties respectfully request that the ALJ enter and order admitting the above-referenced evidence and remand this proceeding to the Commission for consideration of the Proposed Order and for such further proceedings as deemed necessary.


Respectfully submitted,

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By: 

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document will be served on all parties of record on September 19, 2016 in accordance with 16 Tex. Admin. Code § 22.74.



William L. Boomer, P.E.