



Control Number: 43895



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PUC DOCKET NO. 43895

**APPLICATION OF CONCHO RURAL
WATER CORPORATION TO AMEND
A CERTIFICATE OF CONVENIENCE
AND NECESSITY IN TOM GREEN
COUNTY**

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PUBLIC UTILITY COMMISSION
OF TEXAS
2015 MAY 11 PM 1:14
PULL CITY/COMMISSION
FILING CLERK

COMMISSION STAFF'S RESPONSE TO ORDER NO. 4

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 4, and would show the following:

I. BACKGROUND

On December 4, 2014, Concho Rural Water Corporation (CRWC) filed with the Public Utility Commission of Texas (Commission) an application to amend its water certificate of convenience No. 11361 in Tom Green County, Texas. Order No. 4 was issued by the administrative law judge (ALJ) on March 31, 2015, which found the application administratively incomplete and deficient. The ALJ set a deadline of April 10, 2015 for CRWC to amend its application to cure the deficiencies noted by Staff. The ALJ also set May 1, 2015 as the deadline for Staff to file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule. Accordingly, this response is timely filed.

II. RECOMMENDATION

Staff has reviewed the supplemental filing by CRWC and, based on the attached memorandum from Elisabeth English, Engineering Specialist, and Tracy Harbour, GIS Specialist, in the Water Utilities Division, recommends that the ALJ continue to find this application administratively incomplete and deficient. Specifically, the application is deficient with regards to several components of mapping and content. These issues must be remedied before additional processing of the application can continue.

III. PROCEDURAL SCHEDULE

Staff recommends that CRWC be required to respond to this recommendation, including correction of the mapping and content deficiencies, for review no later than June 1, 2015. Staff will review CRWC's response and provide a recommendation on the administrative

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completeness of the application and proposed notice by June 29, 2015. If Staff recommends finding the application and notice sufficient at that time, Staff will also recommend a procedural schedule to complete the processing of the application.

DATED: May 1, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director - Legal Division

Karen S. Hubbard
Managing Attorney - Legal Division



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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 1, 2015, in accordance with P.U.C. Procedural Rule 22.74.



Jason Haas

PUC Interoffice Memorandum

To: Jason Haas, Attorney
Legal Division

Thru: Tammy Benter, Director
Water Utilities Division

From: Elisabeth English, Engineering Specialist
Tracy Harbour, GIS Specialist
Water Utilities Division

Date: May 1, 2015

Subject: Docket No. 43895, Application of Concho Rural Water Corporation, to amend its water Certificate of Convenience and Necessity (CCN) in Tom Green County

On December 1, 2014, Concho Rural Water Corporation (Applicant), filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 11361 in Tom Green County, pursuant to Texas Water Code (TWC) §§ 13.242 thru §13.250 and PUC SUBST. R. 24.101 thru 24.107.

I have reviewed the above referenced application and have found that it is deficient in the content provided as well as the required mapping information; therefore, I recommend that the application is deemed administratively incomplete.

Mapping Deficiencies

Based on a review of the information in the application, the Applicant has not satisfied the mapping requirements as listed on page 5 of the CCN amendment application and as required in the P.U.C. SUBST. R. 24.105(a)(2). Mapping Staff recommends the Applicant submit the following items to resolve the mapping deficiencies:

1. A large scale map only showing the proposed service area with enough detail to accurately locate the proposed facility line or service area being requested in the vicinity of nearby streets, roads and highways. The large scale map:
 - a. should not show existing CCN service areas on submitted maps.
 - b. should add a title and a legend clearly stating the intent of this application.
 - c. should clearly label, mark or highlight the proposed water service area being amended.

The Applicant's digital data must correspond to the same proposed water service area submitted on maps.

2. Provide digital data for the proposed facility line or service area to be amended with this case.
 - a. The proposed digital data must be a single, continuous polyline or polygon record, which is clearly labeled as the proposed service area.
 - i. If submitting a DWG formatted file, please include the world (WLD) file or text file with the coordinate system.
 - ii. If submitting a SHP formatted file, please include the projection (PRJ) file.
 - b. The proposed digital data must include the projection or coordinate system used to create the digital data.
 - c. The CD must be labeled with the utility name and docket number assigned to this case.

3. Provide a complete list of neighboring entities within in a 2 mile buffer of the proposed water service area (or facility line) including all utilities, districts, groundwater conservation districts, counties, and cities and their ETJ's who are required to receive notice. Applicant cannot use a map for this purpose.

Application Content Deficiencies

4. Provide a copy of the corporation's Certificate of Account Status from the Texas Comptroller of Public Accounts (Section 1C).
5. Include a statement explaining the effect of granting the CCN amendment (Section 5G).
6. The Applicant is seeking approval from the Texas Commission on Environmental Quality (TCEQ) for construction the proposed water line. Staff requests that the application be supplemented with the Plans and Specifications Approval letter from TCEQ, as requested in the application (Section 4E).