

Control Number: 43930



Item Number: 11

Addendum StartPage: 0

DOCKET NO. 43930

2015 FEB 26 PM 1:24
FILING CLERK

**APPLICATION OF GULF COAST
WASTE DISPOSAL AUTHORITY TO
AMEND A CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
CHAMBERS COUNTY**

§
§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Administrative Completeness. In support of its request, Staff states the following:

I. BACKGROUND

On December 8, 2014, Gulf Coast Waste Disposal Authority (GCA or Applicant) filed with Commission an application (Application) to amend its sewer certificate of convenience (CCN) No. 20465 in Chambers County, Texas pursuant to TEX. WATER CODE ANN. §§ 13.246(c), 13.254 and P.U.C. SUBST. R. 24.113. GCA seeks to amend its CCN to voluntarily decertify a small portion of its service area at the request of the Chambers County Improvement District No. 2. CGA does not currently serve in the area that is the subject of this Application.

The Administrative Law Judge (ALJ) issued Order No. 2 requiring the Applicant to cure the Application's deficiencies by January 29, 2015. The Applicant filed supplemental information on January 23, 2015. In Order No. 4, the ALJ allowed Staff until February 26, 2015 to provide comments on administrative completeness, notice, and a proposed procedural schedule. Therefore, this pleading is timely filed.

II. RECOMMENDATION

As detailed in the memorandum of Jolie Mathis and Tracy Harbor (Attachment A) of the Water Utilities Division, Staff recommends that the Application be deemed insufficient for filing and that the Applicant be allowed additional time to cure the deficiencies. Attachment A notes, among other things, that the Applicant may correct the Application by submitting a new map, revised digital data, and a revised written description. The Applicant should not move forward with notice until the Application is deemed sufficient.

Staff requests that the Applicant be allowed until March 27, 2015 to cure the deficiencies of the Application, and that Staff be allowed until April 17, 2015 to make a recommendation or file a status update.

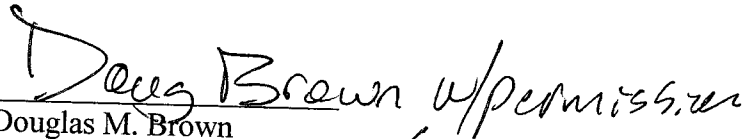
III. CONCLUSION


Staff respectfully requests that the ALJ enter an order in accordance with this filing.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division


Douglas M. Brown
Attorney-Legal Division
State Bar No. 240483866
(512) 936-7203
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326



DOCKET NO. 43930
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on February 26, 2015 in accordance with P.U.C. PROC. R. 22.74.

Doug Brown w/permission
Douglas M. Brown
Steph Moe

PUC Interoffice Memorandum

To: Douglas Brown, Attorney
Legal Division

Through: Tammy Benter, Director
Water Utilities Division

From: Jolie Mathis, Engineering Specialist
Tracy Harbour, GIS Specialist
Water Utilities Division

SUBJECT: Docket No. 43930, Application of Gulf Coast Waste Disposal Authority, for amendment to Sewer Certificate of Convenience and Necessity (CCN) No. 20465, in Chambers, County, Texas

DATE: February 24, 2015

On December 8, 2014, Gulf Coast Waste Disposal Authority (GCWDA or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer certificate of convenience (CCN) No. 20465 by decertifying a small portion of its service area pursuant to the criteria in the Texas Water Code, Chapter 13, and PUC Subst. R in Chapters §§24.101 – 24.107.

On January 23, 2015, the Applicant submitted revised maps, digital data, and a survey map with a written description for the proposed sewer service area to be decertified from their existing sewer CCN No. 20465. GCWDA's proposed sewer service area includes area that is certificated to Monarch Utilities I (CCN No. 20899). GCWDA cannot decertify sewer service area which they are not certificated to.

If the Applicant intends on decertifying a portion of CCN 20899, the Applicant must obtain an agreement with Monarch Utilities I, to allow for the decertification. If the Applicant does not intend to decertify a portion of CCN 20899, the Applicant should submit revised digital data and hard copy maps excluding the area of CCN20899.

Staff recommends the application be deemed insufficient for filing due to remaining mapping deficiencies. In order to cure the Applicant's mapping deficiencies, Staff recommends the Applicant do the following:

1. Submit a revised large scale, hard copy map of the proposed sewer service area, removing the portion GCWDA is not currently certificated to.
2. Submit revised digital data of the proposed sewer service area removing the portion GCWDA is not certificated to. The shapefile and projection file should be on a CD labeled with the docket number.
3. Submit a revised written description including the revised total acreage of the proposed sewer service area to be decertified from GCWDA's CCN No. 20465.

Since the mapping information is deemed insufficient, the Applicant should not be instructed to move forward with notice at this time.