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DOCKET NO. 43930

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

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**PUBLIC UTILITY COMMISSION
FILING CLERK
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 (GCWDA or Applicant) filed with Commission an application (Application) to amend its sewer certificate of convenience and necessity (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. GCWDA 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. CGWDA does not currently serve in the area that is the subject of this Application.

The Administrative Law Judge (ALJ) issued Order No. 4 requiring the Applicant to cure the Application's deficiencies by March 26, 2015. The Applicant filed supplemental information in response to Order No. 4. The ALJ allowed Staff until April 17, 2015 to provide comments on administrative completeness, notice, and a proposed procedural schedule. Therefore, this pleading is timely filed.

II. RECOMMENDATION

Applicant's supplemental filing did not cure many of the deficiencies noted in Staff's February 26, 2015 filing. 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 improve the Application by submitting new maps and documenting the acreage of the proposed sewer service area. The Applicant should not move forward with notice until the Application is deemed sufficient.

Staff requests that the Applicant be allowed until May 18, 2015 to cure the deficiencies of the Application, and that Staff be allowed until June 15, 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

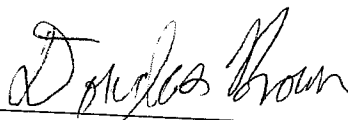


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DOCKET NO. 43930
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 17, 2015 in accordance with P.U.C. PROC. R. 22.74.



Douglas M. Brown

ATTACHMENT A

PUC Interoffice Memorandum

To: Douglas Brown, Attorney
Legal Division

Through: Tammy Benter, Director
Water Utilities Division

From: Jolie Mathis, Engineering Specialist
Tracy Harbor, 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. 40465, in Chambers, County, Texas

DATE: April 16, 2015

On December 8, 2014, Gulf Coast Waste Disposal Authority (GCWDA or Company) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer certificate of convenience (CCN) No. 20465 and decertify a small portion of its service area at the request of the Chambers County Improvement District No. 2, 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, a survey map with a written description for GCWDA's proposed sewer service area to be decertified from their existing sewer CCN No. 20465. GCWDA has identified a portion of their proposed sewer service area they are not currently certificated to, but rather belongs to Monarch Utilities I (CCN No. 20899). GCWDA cannot decertify the portion of their proposed sewer service area which they are not certificated to.

The Applicant's filing on March 27, 2015 does not cure their mapping deficiencies. Since the Applicant has removed the overlap between GCWDA's proposed sewer service area and Monarch Utilities, Inc. existing CCN No. 20899, they must submit revised small and large scale maps. The Applicant's revised digital data submitted is adequate to show the revised proposed sewer service area.

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). 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 general location (small scale) map only showing the proposed sewer service area to be decertified CCN No. 20465 with enough detail to accurately locate the service area within Chambers County.
2. Submit revised large scale map only showing the proposed sewer service area with enough detail to accurately locate the service area in the vicinity of surrounding roads, streets and highways. The map title should include the utility name and CCN number being amended. This map should be used for notice purposes.
3. Confirm the total acreage for the proposed sewer service area to be decertified from GCWDA's CCN No. 20465 is approximately 692 acres.

Staff recommends the Applicant consult with Douglas Brown and Tracy Harbour for guidance to resolve these deficiencies.