



Control Number: 43930



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DOCKET NO. 43930

2015 JUN 26 AM 10: 25

**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
OF TEXAS**

COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Supplemental Recommendation. In support of its recommendation, 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. §§ 13.246(c), 13.254 (TWC), and 16 Tex. Admin. Code § 24.113 (TAC). 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. 5 requiring the Applicant to cure the Application's deficiencies by May 18, 2015. The Applicant timely filed supplemental information in response to Order No. 5. The ALJ allowed Staff until June 26, 2015 to provide a supplemental recommendation. Therefore, this pleading is timely filed.

II. RECOMMENDATION

As detailed in the attached memorandum (Attachment A) of Jolie Mathis Staff and Tracy Harbor of the Water Utilities Division, Applicant has cured the previously noted mapping deficiencies, but the notice documents remain deficient. Attachment A explains that the Applicant

must cure deficiencies with its proposed notice, specifically regarding the area in question. The Applicant should not issue notice until the deficiencies in the notice have been cured and have been deemed sufficient to issue. Therefore, Staff recommends that the application be deemed insufficient until the notice issues are cured.

III. PROPOSED PROCEDURAL SCHEDULE

Staff recommends that the Applicant be allowed until July 17, 2015 to submit corrected notice to Staff, and that Staff be allowed until July 31, 2015 to make a supplemental recommendation and propose an additional procedural schedule.

IV. CONCLUSION

Staff respectfully requests that the ALJ enter an order consistent with the above recommendations.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

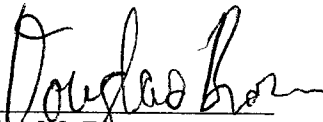
Stephen Mack
Managing Attorney
Legal Division



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

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 26, 2015 in accordance with 16 TAC § 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: June 24, 2015

On December 8, 2014, Gulf Coast Waste Disposal Authority (GCA 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 May 18th, 2015, GCA submitted a third amendment to the Application in response to Order No. 5 issued on April 23, 2015 requesting the applicant to amend its application to correct certain mapping deficiencies noted in the application's administrative completeness reviews.

Maps and digital data are now sufficient. The applicant submitted sufficient revised small and large scale maps of the proposed sewer service area to be decertified from CCN No. 20465 on May 18th, 2015.

Based on review of the information in the application, Staff recommends that the application be deemed insufficient for filing. Staff recommends the applicant take the following actions to cure remaining deficiencies:

1. Update the general description in the notice documents for the proposed sewer service area to be decertified with this application:
 - a. The proposed service area is located approximately 1 mile east of downtown Baytown, Texas, and is generally bounded on the north by FM 565; on the east by SH 99/ Grand Pkwy; on the south by SH 99/ Grand Pkwy; and on the west by FM 1405.
 - b. Add total acreage of 692 acres to notice document.