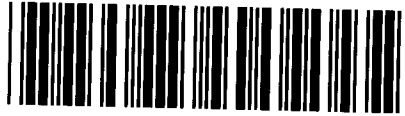


Control Number: 43930



Item Number: 22

Addendum StartPage: 0

DOCKET NO. 43930

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

§
§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2015 JUL 30 PM 2:05
FILED
CLERK

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. 7 requiring the Applicant to cure the Application's deficiencies by July 17, 2015. The Applicant timely filed supplemental information on July 16, 2015 in response to Order No. 7. The ALJ allowed Staff until July 31, 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, the notice documents remain deficient. Attachment A explains that the Applicant must cure the deficiencies and provides instruction on how the

Applicant might do so. 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 August 15, 2015 to submit corrected notice to Staff, and that Staff be allowed until September 1, 2015 to make a supplemental recommendation and propose an additional procedural schedule.

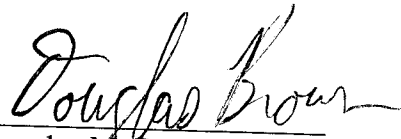
IV. CONCLUSION

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

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

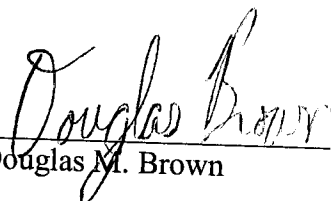
Stephen Mack
Managing Attorney
Legal Division



Douglas M. Brown
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(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 July 30, 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: July 30, 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 July 16th, 2015, GCA submitted a fourth amendment to the Application in response to Order No. 7 issued on June 29, 2015 requesting the applicant to amend its application to correct certain public notice deficiencies. A portion of those were corrected but a few deficiencies still remain. Based on review of the information in the application, I recommend the applicant take the following action:

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.