



Control Number: 43930



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DOCKET NO. 43930

RECEIVED

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

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§  
§

2014 DEC 22 PM 3:17  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
CLERK

**RESPONSE TO ORDER NO. 1**

**I. Background**

As set forth in Order No. 1, Gulf Coast Waste Authority (GCA or Company) has filed an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20465 in Chambers County, Texas. GCA seeks to voluntarily decertify a small portion of its service area at the request of Chambers County Improvement District No. 2 (District). GCA currently does not provide sewer services in the vicinity of the District nor does it have the necessary infrastructure to do so at this time. The requested amendment would facilitate the District's wishes to obtain sewer services from a neighboring utility which has the current ability to serve the District's sewer needs. Pursuant to an agreement with GCA, the District is providing these comments on its behalf.

**II. Comments on Procedural Matters**

Pursuant to Order No. 1, the Administrative Law Judge (ALJ) has ordered comments on how this application should be processed and a proposed procedural schedule. Please consider the following in determining the course of these proceedings:

- a. As of today, we have been informed that the PUC staff has determined that the application is not administratively complete due to some mapping issues.
- b. Based on the above considerations, it is proposed that once the application is declared administratively complete and the form of notice approved, written mailed public

notice be provided as set forth in Texas Water Code § 13.246 (a) and (a-1) and P.U.C. SUBST. R. 24.106 (a), (b)(2) and (b)(3). As this application involves amendment of an existing CCN, it is proposed that the publication notice for new CCNs, as set forth in P.U.C. SUBST. R. 24.106(c), not be required.

- c. Until such time as the application is declared administratively complete and all notice requirements are fulfilled, it cannot be determined if a valid hearing request will be timely filed. Recognizing such, the following limited schedule is proposed:

<b>Event</b>	<b>Due Date</b>
Deadline for Applicant to file affidavit(s) of proof of notice	Within 30 days of the commission staff declaring the application to be administratively complete
Deadline for hearing requests	Within 30 days of mailing public notice
Deadline for staff to request a hearing or to file recommendation on final disposition	Within 60 days from the end of the hearing request period
Deadline for Applicant to request a hearing or respond to staff's recommendations on final disposition or, if no disputed issues exist, deadline for parties to file proposed findings of fact, conclusions of law and ordering paragraphs	Within 10 work days of the staff's recommendation on final dispositions

- d. Should there be a valid hearing request timely filed, the matter will be deemed contested and subject to the procedural rules of Chapter 22. In such an event, it is proposed that the parties confer and submit either a joint procedural schedule to govern the contested case hearing process or, in lieu of agreement, provide separate proposed schedules for the ALJ's consideration and/or approval.

### III. Initial Service List

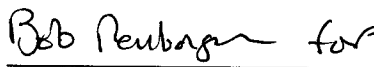
With respect to the development of an initial service list, the following are requested to be included:

Gulf Coast Waste Disposal Authority  
c/o Sara M. Burgin  
KattenMuchinRosenman, LLP  
One Congress Plaza  
111 Congress Ave., Suite 1000  
Austin, Texas 78701  
(512) 691-4005 (telephone)  
(512) 532-0745 (fax)  
[sara.burgin@kattenlaw.com](mailto:sara.burgin@kattenlaw.com) (Email)

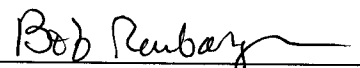
Chambers County Improvement District No. 2  
c/o Mr. Bob Renbarger  
Fritz, Byrne, Head & Harrison, PLLC  
98 San Jacinto Blvd., Suite 2000  
Austin, TX 78701  
(512) 476-2020 (Telephone)  
(512) 477-5267 (Fax)  
[bob@fbhh.com](mailto:bob@fbhh.com) (Email)

(Please note that for administrative purposes, Mr. Renbarger will serve as the lead contact for the applicant in the processing of the application. Ms. Burgin, however, remains GCA's attorney of record and should receive notice of all filings as per the proposed service list.)

Respectfully submitted

  
Sara M. Burgin (by permission)  
KattenMuchinRosenman, LLP  
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Attorneys for Applicant, Gulf Coast  
Waste Disposal Authority

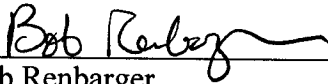
  
Mr. Bob Renbarger  
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(512) 476-2020 (Telephone)  
(512) 477-5267 (Fax)  
[Bob@fbhh.com](mailto:Bob@fbhh.com) (Email)

Attorneys for Chambers County  
Improvement District No. 2

**CERTIFICATE OF SERVICE**

By my signature below, I certify that on December 22, 2014, a copy of the foregoing was served on all parties of record, to include:

Mr. Douglas Brown  
Public Utility Commission  
P.O. Box 13326  
Austin, TX 78711-3326

  
\_\_\_\_\_  
Bob Renbarger