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DOCKET NO. 43930

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PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

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

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COMMISSION STAFF'S RESPONSE TO ORDER NO. 1

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Staff's Response to Order No. 1. In support of its recommendation, Staff states the following:

I. BACKGROUND

On December 8, 2014, Gulf Coast Waste Disposal Authority (GCA or Applicant) filed with Commission an 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.

On December 11, 2014, the Administrative Law Judge (ALJ) issued Order No. 1 requiring Staff to provide comments on administrative completeness, notice, and a proposed procedural schedule by December 22, 2014. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS AND NOTICE

As detailed in the attached memorandum of Jolie Mathis of the Water Utilities Division (Attachment A), this application is deficient and administratively incomplete. Attachment A specifies that a more detailed description and a more detailed map of the area in question are

required to further processing of this application. Staff recommends that Applicants be given 30 days to cure the deficiencies in the application. If the deficiencies are not cured within 30 days, then Staff may request that the application be dismissed without prejudice. Notice of this application shall not be published until the deficiencies are cured.

III. PROPOSED PROCEDURAL SCHEDULE

<u>Event</u>	<u>Date</u>
Deadline for Applicant to cure deficiencies.	January 29, 2015
Staff to file a recommendation on sufficiency of the application or a status report on the progress made in processing the application	February 17, 2015

III. CONCLUSION


Staff respectfully requests that the Administrative Law Judge enter an order in accordance with this filing.

Date: December 22, 2014

Respectfully Submitted,


Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division


for Douglas M. Brown
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 December 22, 2014 in accordance with P.U.C. PROC. R. 22.74.


for Douglas M. Brown

PUC Interoffice Memorandum

To: Douglas Brown, Attorney
Legal Division

Through: Tammy Benter, Director
Water Utilities Division

From: Jolie Mathis, Engineering 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: December 19, 2014

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.

Based on review of the information in the application and the applicable laws and rules, I have determined that information is deficient and a recommendation is to have the Applicant correct the following deficiencies:

1. Submit a written description for the proposed sewer service area to be decertified with this application. The applicant may submit a legible copy of the metes and bounds description of the proposed service area to be decertified. See part C of # 3 of the mapping requirements noted in the application.
2. Submit a detailed map clearly displaying the surrounding roads, streets and highways of the proposed sewer service area being decertified with this application. The maps submitted with this application may be used as the general location map. However, there are no maps sufficient to be used as the detailed proposed map used to notice 2-mile entities of this application.

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

We recommend the Applicant be ordered to return the requested information within 30 days.