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DOCKET NO. 44028

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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF THE CITY OF
THREE RIVERS TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN LIVE OAK
COUNTY (37900-C)

§ PUBLIC UTILITY COMMISSION
§
§ OF TEXAS
§
§

**ORDER NO. 3
FINDING APPLICATION INCOMPLETE AND DEFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

I. Application

On April 25, 2014, the City of Three Rivers filed with the Texas Commission on Environmental Quality (TCEQ) an application to amend a water certificate of convenience and necessity in Live Oak County. The application was received by the Public Utility Commission of Texas (Commission) on January 2, 2015.

II. Staff Recommendation on Administrative Completeness of the Application

On February 10, 2015, Commission Staff filed comments on the application. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies, as specifically described in Commission Staff's February 10, 2015 filing and the attached memorandum of Mary Lupo, Utility Rates Analyst/Auditor, Water Utilities Division. Pursuant to P.U.C. SUBST. R. 24.8(a), applications are not considered filed until a determination of administrative completeness is made, thus at this time the application is not considered filed with the Commission.

Applicant should not send out notice to affected parties until these discrepancies are corrected.

III. Proposed Procedural Schedule

Commission Staff proposes that Applicant be given until March 19, 2015 to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional

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comments regarding completeness of the amended application, along with a proposed procedural schedule once the application is administratively complete.

IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure

Consistent with Commission Staff's recommendation, Three Rivers' application is found administratively incomplete and deficient. On or before **March 19, 2015**, Three Rivers shall amend its application to cure the deficiencies noted by Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **April 21, 2015**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule.

SIGNED AT AUSTIN, TEXAS the 10th day of February 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT