



Control Number: 44267



Item Number: 8

Addendum StartPage: 0

DOCKET NO. 44267

2015 FEB 19 PM 2:59
PUBLIC UTILITY COMMISSION
FILING CLERK

**APPLICATION OF DOUBLE §
DIAMOND DBA THE CLIFFS §
RESORT TO OBTAIN OR AMEND A §
WATER/SEWER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
PALO PINTO COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**ORDER NO. 2
FINDING APPLICATION INCOMPLETE AND DEFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

I. Application

On January 13, 2015, Double Diamond d/b/a The Cliffs Resort (Double Diamond) filed an application to amend its water and sewer certificates of convenience and necessity (CCN) in Palo Pinto County, Texas. Double Diamond seeks to amend its CCNs to include an area developed following the original development and where services are already provided.

II. Staff Recommendation on Administrative Completeness of the Application

On February 12, 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 12, 2015 filing and the attached memorandum of Mary Lupo, Utility Rates Analyst, 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.

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

III. Proposed Procedural Schedule

Commission Staff proposes that Double Diamond be given thirty (30) days to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional

8

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, the application is found administratively incomplete and deficient. On or before **March 16, 2015**, Double Diamond 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 2, 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 19th day of February 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE