

Control Number: 44333



Item Number: 31

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RECEIVED

APPLICATION OF THE CITY OF
DEKALB TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN BOWIE
COUNTY

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PUBLIC UTILITY COMMISSION

2016 APR 20 11:09
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Final Recommendation. In support thereof, Staff would show the following:

I. BACKGROUND

On January 16, 2015, City of DeKalb (DeKalb) filed with the Commission an application (Application) to amend its water certificate of convenience (CCN) in Bowie County, Texas pursuant to Tex. Water Code §§ 13.242-50 (TWC) and Title 16 Tex. Admin. Code (TAC) §§ 24.101-07 (TAC). DeKalb seeks to amend its CCN to extend its service area as a result of the need for water service in the proposed area.

In Order No. 10, the Administrative Law Judge (ALJ) allowed Staff until April 28, 2016 to make a supplemental recommendation and comment on the Applicant's proof of reissuance of notice filed on March 31, 2016.

II. RECOMMENDATION ON NOTICE

As detailed in the attached memorandum of Leila Guerrero of the Water Utilities Division (Attachment A), Staff recommends that the notice is now sufficient. The most recent notice issued by the Applicant cured previously noted deficiencies, and Staff can proceed with processing the Application.

III. PROPOSED PROCEDURAL SCHEDULE

Staff needs additional time to complete its technical review and obtain a consent form from the Applicant. Therefore, Staff requests until June 6, 2016 to make a supplemental recommendation.

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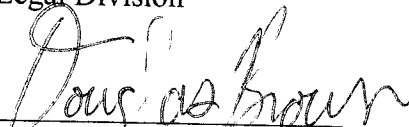
IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendations.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

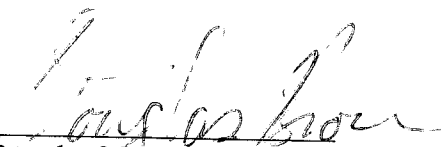
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DOCKET NO. 44333

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on or before April 28, 2016 in accordance with 16 TAC § 22.74.


Douglas M. Brown

ATTACHMENT A

PUC Interoffice Memorandum

To: Douglas Brown, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Work Leader
Water Utilities Division

From: Leila Guerrero, Regulatory Accountant/Auditor
Water Utilities Division

Date: April 27, 2016

Subject: *Docket No. 44333, Application of City of DeKalb to amend water Certificate of Convenience and Necessity in Bowie County, Texas*

On January 16, 2015, the City of DeKalb (Applicant) filed with the Public Utility Commission of Texas ("PUC" or "Commission") an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10524 and to obtain dual certification with a portion of Central Bowie County WSC, CCN No. 10525, in Bowie County, Texas. This application is being reviewed under 16 Tex. Admin. Code §§24.101 - 24.107 (TAC) and Tex. Water Code Ann. §§ 13.241 - 13.250 (TWC).

On March 31, 2016, the Applicant filed copies of notice sent to neighboring utilities, landowners and affected parties. Also filed was an affidavit indicating that notice, was provided by the Applicant on March 29, 2016. Upon review of the filed documents, Staff found that notice is sufficient and the Applicant has met the notice requirements as required by the Commission.