



Control Number: 44369



Item Number: 25

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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF GONZALES
COUNTY WATER SUPPLY
CORPORATION AND THE CITY OF
GONZALES FOR APPROVAL OF A
SERVICE AGREEMENT IN
GONZALES COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

JOINT PROPOSED NOTICE OF APPROVAL AND REQUEST TO ADMIT EVIDENCE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Joint Proposed Notice of Approval and Request to Admit Evidence, and would show the following:

I. BACKGROUND

On January 26, 2015, Gonzales County Water Supply Corporation and the City of Gonzales (collectively, Applicants) filed an application, pursuant to TEX. WATER CODE § 13.248 (TWC), for approval of an agreement to decertify and transfer a certain 138.62 acre tract of land located within Gonzales County WSC's certificated area. On November 12, 2015, the Order No. 8 was issued, which set December 9, 2015 as the deadline for parties to submit a proposed notice of approval.

II. PROPOSED NOTICE OF APPROVAL

Staff and the Applicants have agreed on the attached Joint Proposed Notice of Approval. The parties request that the ALJ issue a notice of approval in the form of the attached Joint Proposed Notice of Approval.

III. REQUEST TO ADMIT EVIDENCE

Staff and the Applicants recommend that the following be admitted as evidence into the record:

1. Application, filed on Jan. 26, 2015;
2. Affidavit dated May 29, 2015, attesting to notice mailed on May 29, 2015;
3. Commission Staff's recommendation regarding final disposition filed on November 20, 2015.

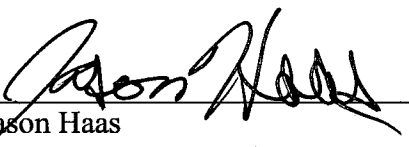
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Dated: December 8, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director – Legal Division

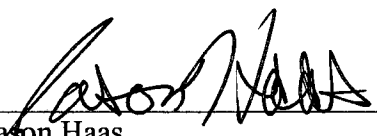
Karen S. Hubbard
Managing Attorney – Legal Division



Jason Haas
Attorney-Legal Division
State Bar No. 24032386
(512) 936-7295 (telephone)
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on December 8, 2015, in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas

PUC DOCKET NO. 44369

APPLICATION OF GONZALES	§	
COUNTY WATER SUPPLY	§	PUBLIC UTILITY COMMISSION
CORPORATION AND THE CITY OF	§	
GONZALES FOR APPROVAL OF A	§	OF TEXAS
SERVICE AGREEMENT IN	§	
GONZALES COUNTY	§	

JOINT PROPOSED NOTICE OF APPROVAL

This Joint Notice of Approval addresses the application (Application) of the City of Gonzales (Gonzales) and the Gonzales County Water Supply Corporation (Gonzales WSC) for approval, pursuant to TEX. WATER CODE (TWC) § 13.248, of an agreement to decertify and transfer a certain 138.62 acre tract of land located within Gonzales WSC's certificated area to Gonzales. The Public Utility Commission Staff recommended approval of this application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

Procedural History and Background

1. On January 26, 2015, Gonzales WSC and Gonzales (collectively, Applicants) filed an application for approval of an agreement to decertify and transfer a certain 138.62 acre tract of land located within Gonzales County WSC's certificated area to Gonzales.
2. On April 17, 2015, Order No. 3 was issued, declaring the application administratively complete and requiring that notice of the application be provided.
3. On June 2, 2015, Gonzales WSC filed an affidavit attesting that mailed notice was provided on May 29, 2015.
4. No hearing requests, comments, or protests were received.
5. On November 4, 2015, Gonzales WSC submitted a signed consent form evidencing its consent to the map and certificates.
6. On November 12, 2015, Gonzales submitted a signed consent form evidencing its consent to the map and certificates.
7. On November 20, 2015 Staff recommended that the Application be approved.

8. The following evidence is admitted into the record of this proceeding: (a) Application, filed on Jan. 26, 2015 (Commission automated interchange system (AIS) Item No. 1); (b) affidavit dated May 29, 2015, attesting to notice mailed on May 29, 2015 (AIS Item No. 9); (c) Commission Staff's recommendation regarding final disposition, filed on November 20, 2015 (AIS Item No. 24).

Informal Disposition

9. More than 15 days have passed since completion of the notice provided in this docket.
10. No entity submitted a request for hearing. No issues of fact or law remain are by any party; therefore, no hearing is necessary.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority over this docket pursuant to TWC §§ 13.041, 13.241, and 13.248 and 16 TAC §§ 24.101 and 24.117.
2. Gonzales and Gonzales WSC are retail public utilities as defined in § 13.002(19).
3. Gonzales WSC provided public notice of the Application in compliance with TWC § 13.248 and 16 TAC § 24.117.
4. Gonzales demonstrated that an amendment of its CCN No. 11210 is necessary for the service, accommodation, convenience, or safety of the public.
5. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. The Applicants' January 26, 2015, Application is approved.
2. City of Gonzales' water CCN No. 11210 is hereby amended to include the previously disputed area.
3. Gonzales County WSC's CCN No. 10704 is hereby amended to delete the previously disputed area.
4. The City of Gonzales and Gonzales WSC, respectively, per attached Certificates of Necessity No. 11210 and No. 10704, shall serve every future customer and applicant for service within their respective areas, the transferred area being hereby assigned and included within the City

of Gonzales' CCN No. 11210 [and deleted from Gonzales County WSC's CCN No. 10704] and service by each of these referenced Applicants shall be continuous and adequate as required by their agreement and the law applicable to such service areas.

SIGNED AT AUSTIN, TEXAS the _____ day of December 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



**STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE**

City of Gonzales
Portion of Water Service Area
CCN No. 11210
PUC Docket No. 44369
Transferred a Portion of Gonzales County Water
Supply Corporation, CCN No. 10704 in Gonzales County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN Service Areas

-  11210 - City of Gonzales
-  10704 - Gonzales County WSC

0 500 1,000
Feet



Map by: Komal Patel
Date created: October 8, 2015
Project Path: n:/finalmapping/44369CityofGonzalesFinal.mxd



Public Utility Commission Of Texas

By These Presents Be It Known To All That

City of Gonzales

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 11210

to provide continuous and adequate water utility service to that service area or those service areas in Gonzales County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 44369 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Gonzales, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this _____ day of _____ 2014



Public Utility Commission Of Texas

By These Presents Be It Known To All That Gonzales County Water Supply Corporation

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 10704

to provide continuous and adequate water utility service to that service area or those service areas in Fannin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 44369 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Gonzales Water Supply Corporation, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this _____ day of _____ 2014