



Control Number: 44523



Item Number: 29

Addendum StartPage: 0

DOCKET NO. 44523

**APPLICATION OF CITY OF DRIPPING §
SPRINGS TO AMEND ITS §
CERTIFICATE OF CONVENIENCE AND §
NECESSITY IN HAYS COUNTY §**

PUBLIC UTILITY COMMISSION

OF TEXAS

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COMMISSION STAFF'S REQUEST FOR ADDITIONAL TIME

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Request for Additional Time. In support thereof, Staff shows the following:

I. BACKGROUND

On March 11, 2015, City of Dripping Springs (City) filed with the Commission an application to amend water Certificate of Convenience and Necessity (CCN) 13030 in Hays County, Texas.

In Order No. 8, issued February 22, 2016, the Commission administrative law judge set March 21, 2016 as the deadline for Staff to file a final recommendation. This pleading is therefore timely filed.

II. REQUEST FOR ADDITIONAL TIME

Pursuant to 16 Tex. Admin. Code § 24.105(14), a CCN application for an existing system must contain: (A) the approval letter for the plans approved by the TCEQ and specifications for the system or proof that the applicant has submitted either a preliminary engineering report or plans and specification for the first phase of the system unless 30 TAC §290.39(j)(1)(D) (relating to General Provisions) applies; (B) other information that indicates the applicant is in compliance with §24.93 of this title (relating to Adequacy of Water Utility Service) for the system; or (C) a contract with a wholesale provider that meets the requirements in §24.93 of this title.

Staff requires a copy of plans and/or specifications for the new system from the City, as detailed in the attached memorandum of Lisa Fuentes in the Water Utilities Division. Staff requests additional time so that the City may supplement its application. Staff recommends that the City be given until April 8, 2016 to file this additional information, and that Staff be given until April 22 to file its final recommendation or an additional procedural schedule to resolve any ongoing issues.

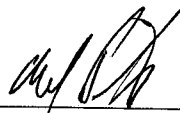
IV. CONCLUSION

Staff respectfully requests that the ALJ issue an order granting the above request.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Karen S. Hubbard
Managing Attorney
Legal Division



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DOCKET NO. 44523

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 18, 2016 in accordance with 16 TAC § 22.74.



Alexander Petak

PUC Interoffice Memorandum

To: Alexander Petak, Attorney
Legal Division

Through: Tammy Benter, Director
Water Utilities Division

From: Lisa Fuentes, Work Leader
Water Utilities Division

SUBJECT: **Docket No. 44523**, *Application of City of Dripping Springs to amend a Certificate of Convenience and Necessity (CCN) in Hays County*

DATE: March 16, 2016

On March 11, 2015, City of Dripping Springs (Dripping Springs or City) filed with the Public Utility Commission of Texas (Commission) an Application to amend its water Certificate of Convenience and Necessity (CCN) No. 13030 in Hays County. Dripping Springs seeks to amend its CCN in order to extend existing service to the planned Blue Blazes Ranch mixed use development.

TWC §13.246(c)(4) requires the Commission to consider the ability of the City to provide adequate service. The proposed service area requires construction of facilities, including a transmission line for water delivery from a wholesale water provider. The application did not include engineering plans for the necessary facilities, or indicate that the necessary approvals had been sought from the Texas Commission on Environmental Quality (TCEQ). Also, the application does not reference the City's existing public water supply (PWS) information as a means to provide service to the proposed area. This indicates the intent is to serve the proposed area as a wholesale customer, in which case the facilities would be considered a separate PWS requiring further TCEQ approval. The application states a PWS will be constructed by the developer of the Blue Blazes Development.

Staff recommends the City file a copy of the necessary TCEQ approvals for the plans and specifications of the water distribution system that will provide water service to the proposed area as required by § 24.105(a)(14)(A).