



Control Number: 44523



Item Number: 38

Addendum StartPage: 0

(e) Affidavit dated November 4, 2015 attesting to notice mailed November 4, 2015 (AIS Exhibit B of Item No. 18, filed November 9, 2015);

(f) Publisher's affidavits dated November 11, 2015 (first three pages of Exhibit A, AIS Item No. 19, filed November 13, 2015);

(g) Letters of consent filed by the Lower Colorado River Authority on January 11, 2016 and Guadalupe-Blanco River Authority, filed on February 2, 2016 (AIS Item Nos. 24 and 25);

(h) The City's consent form to the map and certificate transmitted on February 29, 2016 (AIS Item No. 28, filed March 3, 2016);

(i) The City's supplemental filings (AIS Nos. 31 and 36, filed April 11, 2016 and August 31, 2016); and

(j) Commission Staff's recommendation that Application be approved (AIS Item No. 37, filed September 14, 2016).

III. JOINT PROPOSED NOTICE OF APPROVAL

The attached Joint Proposed Notice of Approval would grant The City's Application to amend its water CCN No. 13030 in Hays County, Texas. Also attached are the final map and certificate that were included in Staff's recommendation on final disposition filed September 14, 2016.

IV. CONCLUSION

The Parties respectfully request that the Commission grant the Motion to Admit Evidence, and adopt the attached Joint Proposed Notice of Approval.

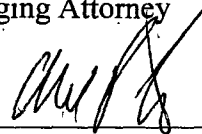
Dated: September 20, 2016.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney



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Counsel for the City of Dripping Springs

DOCKET NO. 44523

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 20, 2016 in accordance with 16 TAC § 22.74.



Alexander Petak

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



PUBLIC UTILITY COMMISSION
OF TEXAS

JOINT PROPOSED NOTICE OF APPROVAL

This Notice addresses the application of The City of Dripping Springs (the "City") to amend its water certificate of convenience and necessity ("CCN") No. 13030 in Hays County. The Public Utility Commission of Texas ("Commission") Staff recommended approval of this application. The application, as amended, is approved.

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

I. FINDINGS OF FACT

Procedural History and Background

1. On March 11, 2015, the City filed an Application to amend its CCN No. 13030 in Hays County.
2. Approval of the application would amend the City's CCN in order to extend existing water service to the planned Blue Blazes Ranch mixed use development.
3. On April 29, 2015; July 16, 2015; September 8, 2015; April 11, 2016; and August 31, 2016 the City filed supplemental information to cure the deficiencies identified by Commission Staff.
4. On October 9, 2015, Order No. 5 was issued, deeming the application, as amended, administratively complete, addressing notice, and establishing a procedural schedule.

5. On September 14, 2016, Commission Staff recommended approval of the application, and provided copies of the City's final water map and CCN certificate, which were consented to on March 9, 2016 and filed with the Commission on March 10, 2016.
6. The final map and the updated water CCN No. 13030 are attached to this Notice.
7. On September 20, 2016, Commission Staff and the City filed a Joint Motion to Admit Evidence and a Proposed Notice of Approval.
8. On _____, 2016, Order No. ____ was issued admitting evidence into the record of this proceeding.

Notice

9. On November 4, 2015 the City mailed notice of the application to neighboring utilities, landowners, and affected parties.
10. On November 5, 2015 and November 12, 2015, notice was published in *The Dripping Springs Century News*, a newspaper of general circulation in Hays County.
11. On November 9, 2015 and November 13, 2015, the City filed affidavits of notice attesting to mailed and published notice.

Informal Disposition

12. The only parties to this proceeding are the City and Commission Staff.
13. More than 15 days has passed since completion of the notice provided in this docket.
14. No protest, request for hearing, or opt-out requests were filed in this docket, therefore, no hearing is necessary.
15. The requirements for informal disposition pursuant to 16 Tex. Admin. Code § 22.35 (TAC) have been met in this proceeding.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority over this docket pursuant to Tex. Water Code §§ 13.041 and 13.241 (TWC).
2. The City is a municipality as defined in TWC § 13.002(12) and 16 TAC § 24.3(42).
3. Public notice of the application was provided in compliance with TWC § 13.246 and 16 TAC § 24.106.
4. The application, as amended, meets the requirements set forth in TWC §§ 13.241, 13.244 and 13.246, and 16 TAC §§ 24.101-24.102 and 24.104-24.106.
5. After considering the factors in TWC § 13.246(c), the City is entitled to approval of the application, having demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate water service to the requested area and its existing service area, as required by TWC § 13.241(a).
6. Approval of this application is necessary for the service, accommodation, convenience, and safety of the public as required by TWC § 13.246(b) and 16 TAC § 24.102(c).
7. Under TWC §13.257(r) and 16 TAC § 24.106(f), the City is required to record a certified copy of the approved water CCN and map, along with a boundary description of the service area in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
8. 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.

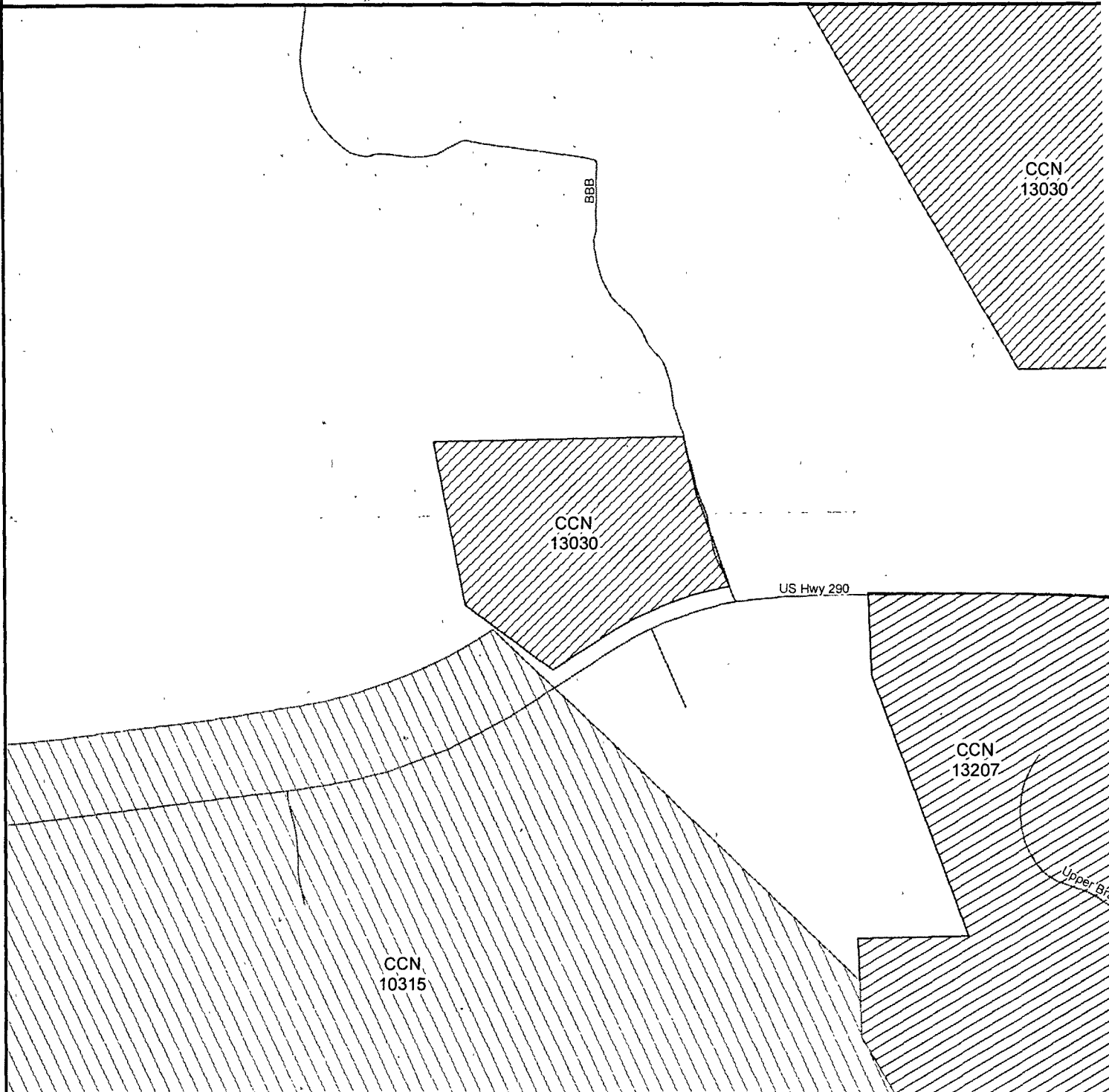
1. The application of the City of Dripping Springs, as amended, is approved:
2. The City of Dripping Springs' water CCN No. 13030 is amended consistent with this Notice.
3. The City of Dripping Springs shall serve every customer and applicant for water service within the area certified under CCN No. 13030, and such service shall be continuous and adequate.
4. The City of Dripping Springs shall comply with the recording requirements in TWC § 13.257(r) for the area in Hays County affected by this application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted in this Notice, are denied.

SIGNED AT AUSTIN, TEXAS the _____ day of September 2016

PUBLIC UTILITY COMMISSION OF TEXAS




ADMINISTRATIVE LAW JUDGE

City of Dripping Springs
Water Service Area
CCN No. 13030
PUC Docket No. 44523
Amended CCN No. 13030 in Hays County



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

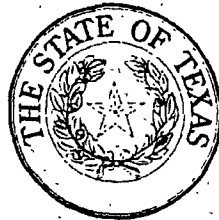
Water CCN Service Areas

-  13030 - City of Dripping Springs
-  10315 - Dripping Springs WSC
-  13207 - West Travis County Public Utility

0 400 800
Feet



Map by: Komal P
Date created: February 26, 2014
Project Path: n:\finalmapping\44523CityofDrippingSprings.r



Public Utility Commission of Texas

**By These Presents Be It Known To All That
City of Dripping Springs**

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. 13030

to provide continuous and adequate water utility service to that service area or those service areas in Hays County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 44523 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty City of Dripping Springs 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, the _____ day of _____ 2016.