



Control Number: 44534



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APPLICATION OF AQUA TEXAS, INC. §
D/B/A AQUA TEXAS TO AMEND ITS §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN HARRIS COUNTY §

PUBLIC UTILITY COMMISSION

2015 APR 10 PM 5:07
PUBLIC UTILITY COMMISSION
OF TEXAS
TRAINING CLERK

STAFF'S RESPONSE TO ORDER NO. 1

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 1, and would show the following:

I. Background

On March 13, 2015, Aqua Texas, Inc. d/b/a Aqua Texas (Aqua Texas) filed with the Public Utility Commission of Texas (Commission) an application to amend its water and sewer certificate of convenience and necessity (CCN) Nos. 13203 and 21065, respectively, in Harris County. Aqua Texas seeks to amend its CCNs in order to provide water and wastewater utility services to a commercial development, comprising 620.652 acres. On March 17, 2015, Order No. 1 was issued which required that Staff file comments on the administrative completeness of the application and proposed notice and a proposed procedural schedule by April 10, 2015. Accordingly, this pleading is timely filed.

II. Recommendation on Administrative Sufficiency

Based on the attached memorandum from Debbie Reyes Tamayo, Program Specialist and Tracy Harbour, GIS Specialist of the Water Utility Regulation Division and Grace Godines, Retail Market Analyst of the Competitive Market Division, Staff finds that the application deficient.

III. Proposed Procedural Schedule

Due to the deficiencies in the application, Staff does not recommend a procedural schedule for the evaluation of the merits of the application at this time. Staff recommends that

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Aqua Texas be given until May 8, 2015 to cure the deficiencies identified in the attached memorandum. Staff proposes a deadline of May 29, 2015 for Staff to file additional comments regarding administrative completeness, along with a proposed procedural schedule if the application is deemed administratively complete.

IV. Conclusion


Staff respectfully requests that an order be issued consistent with this Response.

Dated: April 10, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director – Legal Division

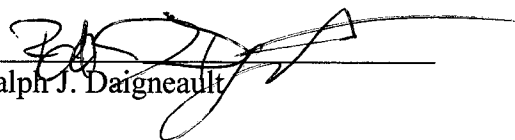
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 10, 2015, in accordance with P.U.C. Procedural Rule 22.74.



Ralph J. Daigneault

PUC Interoffice Memorandum

To: Ralph Daigneault, Attorney
Legal Division

Thru: Tammy Benter, Director
Water Utility Regulation Division

From: Debbie Reyes Tamayo, Program Specialist
Tracy Harbour, GIS Specialist
Water Utility Regulation Division

Grace Godines, Retail Market Analyst
Competitive Market

Date: April 9, 2015

Subject: Docket No. 44534, Application of Aqua Texas, Inc. for an Amendment to Water and Sewer Certificates of Convenience and Necessity (CCNs) in Harris County

On March 13, 2015, Aqua Texas, Inc., (Applicant) filed an application with the Commission to amend its water CCN. No. 13203 and sewer CCN No. 21065 in Harris County under P.U.C. Substantive Rules 24.101 – 24.107.

Staff recommends the application be deemed insufficient for filing until the Applicant submits the following:

1. The Applicant submitted a copy of the preliminary engineering report to PUC; the report needs to be approved by the TCEQ in order to approve the CCN amendment. The applicant should provide proof that the preliminary engineering report, or plans and specifications submitted to the TCEQ for the proposed system have been approved.
2. The Applicant has provided documentation showing the wastewater permit referenced in the application was approved by the TCEQ, the Applicant must also show they have submitted a Summary Transmittal Letter to the TCEQ for review and approval. The Summary Transmittal Letter is filed in lieu of plans and specs and must be signed and sealed by a licensed P.E. The Applicant must demonstrate that the Summary Transmittal Letter or plans and specs for the referenced wastewater treatment plant have been approved by the TCEQ. Please view the link to the TCEQ's webpage:

http://www.tceq.texas.gov/permitting/wastewater/plans/WW_design_requirements.html

3. The Applicant should provide a business plan and analysis regarding how much the new systems will cost and paid for as well as financial projections for the new systems.

Mapping Issues:

Based on a review of the information in the application, the Applicant has not satisfied the mapping requirements as listed on page 5 of the CCN amendment application and as required in the P.U.C. SUBST. R. 24.105(a)(2). Staff recommends the Applicant submit the following items to resolve the mapping deficiencies:

4. Updated general location (small scale) maps only delineating the proposed water and sewer service areas with enough detail to accurately locate them in proximity to a nearby town, city or portion of Harris County. The maps should zoom in closer in order to clearly delineate the outer boundary of both the proposed water and sewer service areas.
5. The Applicant's proposed water service area overlaps H-M-W SUD's CCN 10342. The Applicant must file documentation of H-M-W SUD's agreement for decertification of the area of overlap. If the Applicant is unable to obtain an agreement with H-M-W SUD, they must resubmit a large scale map and digital data for their proposed water service area removing the portion overlapping with H-M-W SUD's existing water CCN 10342.

TB/DRT