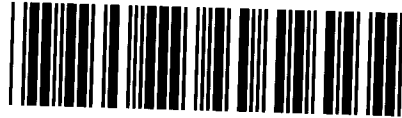


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DOCKET NO. 44541

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**APPLICATION OF CITY OF HEATH TO
AMEND A CERTIFICATE AND
NECESSITY AND TO DECERTIFY A
PORTION OF FORNEY LAKE WATER
SUPPLY CORPORATION'S SERVICE
AREA IN WOCKWALL COUNTY**

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§

PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S LIST OF ISSUES

COMES NOW the Staff ("Staff") of the Public Utility Commission of Texas ("Commission"), representing the public interest, and files this List of Issues. In support thereof, Staff shows the following:

I. BACKGROUND

On March 16, 2015, the City of Heath ("Heath") filed an application pursuant to Texas Water Code Ann. § 13.255 (West 2008 & Supp. 2015) and 16 Tex. Admin. Code § 24.120 ("TAC") for the single certification of areas in Rockwall County, including areas currently certificated to Forney Lake Water Supply Corporation ("Forney Lake").¹ On September 16, 2015, an order was entered referring this proceeding to the State Office of Administrative Hearings and setting a deadline of September 24, 2015 for the filing of a list of issues. This pleading is timely filed.

II LIST OF ISSUES

Staff identifies the following issues to be addressed in this proceeding. Staff does not identify any issues not to be addressed or any threshold issues at this time.

1. Is Heath's application administratively complete pursuant to 16 TAC § 24.8?

¹ Application to Obtain or Amend a Certificate of Convenience and Necessity (CCN) Under Water Code Section 13.255 (Mar. 16, 2015) ("Application").

2. Has Forney Lake submitted a written list with the names and addresses of its lienholders and the amount of its debt? If any lienholders exist, has Forney Lake notified them of the decertification process consistent with 16 TAC § 24.120(b)(2)?
3. Would single certification as requested by Heath result in property of a retail public utility being rendered valueless or useless?
4. Has Heath requested the transfer of specified property of a retail public utility to Heath?
5. If the answer to Issues 3 or 4 is "yes," what is the appropriate compensation to be paid to the retail public utility as determined using the procedures outlined in 16 TAC § 24.120(m).
6. Is Heath in compliance with TCEQ's minimum requirements for public drinking water systems pursuant to 16 TAC § 24.120(n)?

III. CONCLUSION

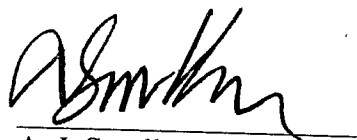
Staff respectfully requests the entry of an order consistent with the above discussion.

Date: September 24, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

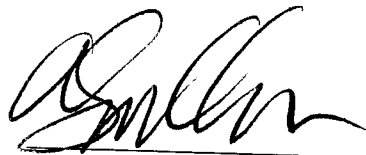
Stephen Mack
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Austin, Texas 78711-3326

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 24, 2015 in accordance with 16 TAC § 22.74.



A. J. Smullen