



Control Number: 44721



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**DOCKET NO. 44721**

**APPLICATION OF QUADVEST, L.P. TO  
AMEND CERTIFICATES OF  
CONVENIENCE AND NECESSITY IN  
HARRIS COUNTY**

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**PUBLIC UTILITY COMMISSION**

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PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION 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.

**I. BACKGROUND**

On May 6, 2015, Quadvest, L.P. (Quadvest) filed an application to amend its water and sewer certificates of convenience and necessity (CCN) Nos. 11612 and 20952 in Harris County. The area Quadvest seeks to add to its CCN's consists of 93 acres. There are no current customers.

On May 8, 2015, Order No. 1 was issued, requiring Staff to file comments on the administrative completeness of the application, proposed notice, and a procedural schedule by June 8, 2015. Therefore, this response is timely filed.

**II. COMMENTS ON ADMINISTRATIVE COMPLETENESS**

16 Tex. Admin. Code § 24.8 (TAC) provides for the review for administrative completeness of CCN applications. If the Commission determines material deficiencies exist in the application, the application may be rejected.<sup>1</sup> 16 TAC §§ 24.102 and 24.105-.107 provide the Commission's required contents of a CCN application. As detailed in the attached memo from Sean Scaff, in the Commission's Water Utilities Division, Staff has reviewed the application and recommends that the application be found administratively incomplete pursuant to 16 TAC §§ 24.102(b)(3), 24.105 and 24.106.

Staff identified deficiencies in the application, mapping requirements and proposed notice. Specifically, Quadvest failed to provide proof that surrounding utilities refused to provide service to the proposed CCN area pursuant to 16 TAC § 24.102(b)(3). Also, Quadvest failed to

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<sup>1</sup> 16 TAC § 24.8(a).

provide the required financial information for new water and/or sewer systems and for applicants with existing CCN's who are constructing a new stand-alone water and/or sewer system.

Further, Applicant did not submit adequate maps. The projected mapping data should be provided on 2 CDs which need to be clearly labeled with the reference docket number as well as Quadvest's name and date. Also, Quadvest should update the titles on their hardcopy maps to include the word "proposed". Finally, the metes & bounds information provided by Quadvest does not form a closure of the proposed CCN Area. Quadvest should provide either projected digital data showing the proposed CCN area or a closure report for the metes & bounds already provided in the application.

Staff cannot make a recommendation on notice until the other deficiencies are cured. Applicant *should not* send out notice until the Commission has issued an order approving the notice and directing Quadvest to provide notice.

Pursuant to 16 TAC § 24.8(a), the application is not considered filed until the Commission determines that the application, mapping requirements and proposed notice are administratively complete. Staff has identified deficiencies in the application, mapping requirements, and notice and, therefore, recommends that the application package be found administratively incomplete pursuant to 16 TAC §§ 24.109 and 24.112.

### **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 Quadvest be given until July 8, 2015 to cure the deficiencies identified in the attached memorandum. Staff proposes a deadline of August 10, 2015 for Staff to file additional comments regarding administrative completeness, along with a proposed procedural schedule if deemed administratively complete.

### **IV. CONCLUSION**

Staff respectfully requests that the ALJ issue an order consistent with this Response.

**DATE: June 8, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Stephen Mack  
Managing Attorney  
Legal Division

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**DOCKET NO. 44721**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the June 8, 2015 in accordance with 16 TAC § 22.74.

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Mandeep Chatha

**Public Utility Commission of Texas**

**Memorandum**

**TO:** Mandeep Chatha, Attorney  
Legal Division

**FROM:** Sean Scaff, Engineering Specialist  
Komal Patel, GIS Specialist  
Water Utilities Division

**THRU:** Tammy Benter, Director  
Water Utilities Division

**DATE:** June 4, 2015

**RE:** Docket No. 44721: Application of Quadvest, L.P to amend water Certificate of Convenience and Necessity (CCN) No. 11612 and sewer CCN No. 20952.

On May 6, 2015 Quadvest, L.P (Applicant) filed an application to amend its water CCN No. 11612 and sewer CCN No. 20952 in Harris County, Texas. The application is being reviewed pursuant to Texas Water Code §§ 13.242- 13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101-24.107 (TAC). Order number 1 required Staff to review the proposed CCN application and proposed notices for administrative completeness by June 8, 2015.

Based on my review of the above referenced application, I recommend that the application be found insufficient for filing and found administratively incomplete. Further, I recommend the Applicant submit the following items to resolve the deficiencies found in the application:

1. Provide proof that surrounding utilities refused to provide service to the proposed CCN area pursuant to 24.102(b)(3).
2. Provide the required financial information for new water/ or sewer systems and for applicants with existing CCNs who are constructing a new stand-alone water and/or sewer system referenced on page nine of the PUC application.
3. The applicant has failed to pay the Texas Commission on Environmental Quality's required regulatory assessment fees. These fees need to be paid in full in order to complete the technical review.

Applicant should also submit the following items to resolve the mapping deficiencies:

1. The metes & bounds provided do not form a closure of the proposed CCN area. Please provide either-projected digital data showing the proposed CCN area or a closure report for the metes & bounds already provided in the application.
2. Provide the projected mapping data on 2 CDs. The CDs need to be clearly labeled with the reference docket number, applicants name and date.
3. Applicant needs to update the hardcopy maps provided by updating the map title to include the word proposed, i.e. ("Quadvest LP Water and Sewer Proposed CCN Area").