



Control Number: 44816



Item Number: 11

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DOCKET NO. 44816

RECEIVED

APPLICATION OF SHARON WATER §  
SUPPLY CORPORATION TO AMEND §  
ITS CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
UPSHUR AND WOOD COUNTIES §

PUBLIC UTILITY COMMISSION 2015 SEP 17 11:31

OF TEXAS PUBLIC UTILITY COMMISSION  
FILING CLERK

### COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Sufficiency. In support thereof, Staff would show the following:

#### I. BACKGROUND

On June 8, 2015, Sharon Water Supply Corporation (Sharon WSC or Applicant) filed with the Public Utility Commission of Texas (Commission) an application (Application) to amend its water certificate of convenience (CCN) No. 10476 in Upshur and Wood Counties, Texas. The total area requested includes approximately 23,534 acres and 50 current customers.

Staff filed its initial sufficiency finding on July 8, 2015, recommending that the application be found administratively incomplete due to numerous deficiencies, including engineering information, mapping data, and financial and managerial documentation. Order No. 2, filed on July 10, 2015, found the Application incomplete and deficient and gave Sharon WSC until August 10, 2015 to cure the deficiencies. The Applicant filed supplemental information on August 11, 2015 and August 20, 2015. Order No. 3 allowed Staff an extension until September 17, 2015 to file a supplemental recommendation. Therefore, this pleading is timely filed.

#### II. RECOMMENDATION

As noted by the attached memorandum (Attachment A) of Debbie Reyes Tamayo, Tracy Harbour, and Fred Bednarski of the Water Utilities Division, Staff recommends that the Application be deemed insufficient for filing due to deficiencies, including proof of need and mapping.

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Staff recommends that the Applicant be allowed until October 16, 2105 to cure the noted deficiencies and that Staff be allowed until November 16, 2015 to make a supplemental recommendation.

The Applicant shall not issue notice until the Commission's Administrative Law Judge (ALJ) issues an order accepting the application for filing and directing the Applicant to issue notice.

### III. CONCLUSION


Staff respectfully request the entry of an order consistent with the above recommendations.

Dated: September 17, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Stephen Mack  
Managing Attorney  
Legal Division



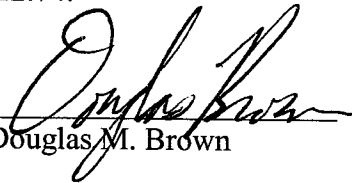
Douglas M. Brown

Attorney-Legal Division  
State Bar No. 24048366  
(512) 936-7203  
(512) 936-7268 (facsimile)  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**DOCKET NO. 44816**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on September 17, 2015 in accordance with 16 Tex. Admin. Code § 22.74.

  
Douglas M. Brown

**ATTACHMENT A**

## PUC Interoffice Memorandum

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**To:** Douglas Brown  
Legal Division

**Thru:** Tammy Benter, Director  
Lisa Fuentes, Work Leader  
Water Utilities Division

**From:** Debbie Reyes Tamayo, Program Specialist  
Tracy Harbor, GIS Specialist  
Fred Bednarski III, Financial & Managerial Review Specialist  
Water Utilities Division

**Date:** September 16, 2015

**Subject:** Docket No. 44816: *Petition by Sharon Water Supply Corporation (WSC) to Amend the WSC's Certificate of Convenience and Necessity in Upshur and Wood Counties*

On June 8, 2015, the Sharon WSC (Applicant) filed with the Public Utility Commission of Texas (Commission) an application requesting to amend the Water Supply Corporation's (WSC) water Certificate of Convenience and Necessity (CCN) No. 10476 in Upshur and Wood Counties, Texas. The application is being reviewed under Texas Water Code §13.254(d) (TWC) and Title 16 Tex. Admin. Code §§24.115 and 24.102(a)(1) (TAC). Order No. 3 requested that staff review the application for administrative completeness and file a recommendation by September 17, 2015.

Staff recommends the application be deemed insufficient for filing due to the deficiencies noted below.

### **Mapping Content**

The Applicant's digital data submitted on August 11, 2015 does not show the proposed service area in the same location as shown on small and large scale maps. The digital data was not revised to remove the requested overlaps with existing CCNs. The Applicant should use PUC's official CCN digital data to help remove requested overlaps with surrounding CCNs. Staff recommends the Applicant discuss how to resolve their mapping deficiencies with PUC mapping staff.

The Applicant must submit the following to resolve their mapping deficiencies:

1. A general location (small scale) map showing only the proposed water service area with enough detail to accurately locate the service area within Upshur and Wood Counties.
2. A large scale (detail) map only showing the proposed water service area with enough detail to accurately locate the service area in the vicinity of surrounding roads, streets, and highways.
3. Revised digital data only including the proposed water service area in a drawing (DWG) file format on a data disk (CD). The revised digital data must remove all overlaps with the

following existing CCNs including [Fouke WSC (10488), Pritchett WSC (10478), Big Woods Springs Water (12367) and their own existing CCN 10476].

- a. The proposed digital data must be a single, continuous polyline or polygon record, which is clearly labeled as the proposed service area.
  - b. The proposed digital data must include the projection or coordinate system used to create the digital data.
  - c. Label CD with the utility name and docket number assigned to this case.
  - d. Revised digital data must show the same proposed water service area on small and large scale maps submitted for this application.
4. Separate and additional maps of the proposed and existing facility maps within the proposed water service area including the following:
    - a. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's services;
    - b. and any facilities, customers or area currently being served outside the applicant's certificated areas; and
    - c. a map showing requests for water service within the proposed service area.
  5. A complete list of all utilities, districts and municipalities located within a 2-mile buffer of the proposed water service area. Also, include the groundwater conservation districts and counties located within the requested proposed water service area.
  6. Verification that the total acreage of the proposed water service area. The revised digital data must include the same total acreage as stated on the Applicant's notice documents.

#### **Need For Service**

1. The application seeks to add approximately 23,534 acres to provide utility service to the proposed 50 customers. please clarify document need for service for the 23,534 acres:
  - a. Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, hospitals, etc.); and/or
  - b. Detail the environmental need(s) for service in the requested area (i.e. failing wells, etc.); and/or
  - c. Provide copies of any written applications or requests for service in the requested area; and/or
  - d. Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area.

#### **Fees**

1. PUC records show that Sharon WSC is currently delinquent in regards to paying the Texas Commission on Environmental Quality's (TCEQ) regulatory assessment fees pursuant to TWC §5.701(n)(1). Provide documentation that these fees have been paid in full.

Notice shall not be issued until the Applicant is instructed by the Administrative Law Judge to do so.

TB/DRT/TM