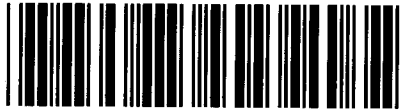


Control Number: 44816



Item Number: 16

Addendum StartPage: 0

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

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COMMISSION STAFF'S RESPONSE TO ORDER NO. 4

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Response to Order No. 4. 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.

The Administrative Law Judge found the application incomplete and deficient on July 10, 2015 and September 18, 2015. Order No. 4 gave Sharon Water until October 16, 2015 to amend its application and Staff until November 16, 2015 to file a supplemental recommendation regarding administrative completeness, notice and a proposed procedural schedule. Sharon WSC filed supplemental information in response to Order No. 4 and Staff's 1st RFI on October 19, 2015 and October 29, 2015. This pleading is timely filed.

II. RECOMMENDATION AND PROPOSED PROCEDURAL SCHEDULE

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

Staff recommends that the Applicant be allowed until December 16, 2105 to cure the noted deficiencies and that Staff be allowed until January 15, 2015 to make a supplemental recommendation.

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

IV. CONCLUSION

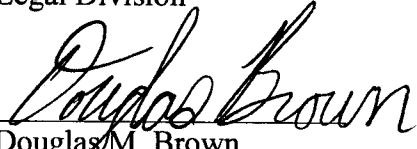
Staff respectfully requests the entry of an order consistent with the above recommendations.

Dated: November 16, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

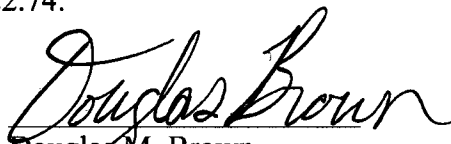
Stephen Mack
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Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

DOCKET NO. 44816

CERTIFICATE OF SERVICE

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


Douglas M. Brown

ATTACHMENT A

PUC Interoffice Memorandum

To: Petak, Alexander, Attorney
Legal Division

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

From: Debbie Reyes Tamayo, Program Specialist
Tracy Harbor, GIS Specialist
Water Utilities Division

Date: November 13, 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).

Staff reviewed the submitted documentation provided by the Applicant and found that there are deficiencies in the required application; therefore, Staff recommends that the application be deemed insufficient for filing and found administratively incomplete. Further, Staff recommends the Applicant address the following:

Mapping Content

The maps and digital data submitted on October 29, 2015, are insufficient and do not meet PUC's mapping requirements. The digital data does not include the projection or datum used to create the digital data. The maps should not show any existing CCNs, but should only show the proposed service area. Also, maps must clearly mark lines and labels of verifiable man-made and natural landmarks such as roads, railroads, or rivers. The Applicant must submit a list of entities they are required to notice, rather than submitting a map for this requirement. Therefore, staff is unable to verify if the maps and digital data submitted accurately removes the requested overlaps with existing CCNs.

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

1. 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.
2. 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. Include a labeled 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.
3. 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.

Separate from the mapping issues, the Applicant must address the following:

4. It appears Sharon WSC is currently delinquent in paying the Texas Commission on Environmental Quality's (TCEQ) regulatory assessment fees pursuant to TWC §5.701(n)(1). These fees must be paid in full in order to complete the review of the application.

TB/LF/DRT/