



Control Number: 44816



Item Number: 34

Addendum StartPage: 0

RECEIVED

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

PUBLIC UTILITY COMMISSION
 OF TEXAS

2016 OCT 13 PM 12:03
 PUBLIC UTILITY COMMISSION
 FILING CLERK

COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Supplemental Recommendation and Response to Order No. 10. 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 (ALJ) found the Application incomplete and deficient on August 23, 2016. Order No. 10 gave Sharon WSC until September 15, 2016 to amend its Application and Staff until October 13, 2016 to file a supplemental recommendation regarding administrative completeness, notice, and a proposed procedural schedule. Sharon WSC filed supplemental information in response to Order No. 10 on September 14, 2016. This pleading is timely filed.

II. RECOMMENDATION ON ADMINISTRATIVE SUFFICIENCY

As noted by the attached memorandum (Attachment A) of Debbie Reyes Tamaño, Tracy Montes, Fred Bednarski III, and Julie Mathis of the Water Utilities Division, Staff recommends that the Application be deemed sufficient for filing. The Applicant should be ordered to provide notice and proof of that notice using the forms (Attachment B) and in the manner detailed in the attached memorandum.

III. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for Applicant to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties and published in a newspaper of general circulation	November 28, 2016
Deadline for Staff to file a recommendation on sufficiency of notice	December 8, 2016
Deadline to intervene.	30 days after notice is issued

IV. CONCLUSION

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

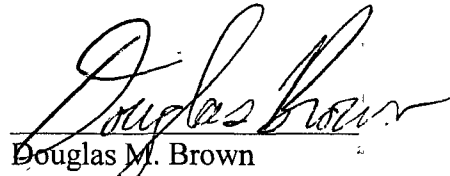
Dated: October 13, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

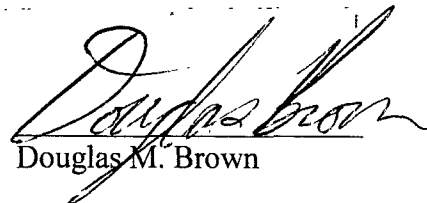


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DOCKET NO. 44816

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 13,
2016 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, Manager
Debi Loockerman, Manager
Heidi Graham, Manager
Water Utilities Division

From: Debbie Reyes Tamayo, Program Specialist
Tracy Montes – GIS Specialist
Fred Bednarski III, Financial & Managerial Review Specialist
Jolie Mathis, Engineering Specialist
Water Utilities Division

Date: October 5, 2016

Subject: **Docket No. 44816:** *Application of Sharon Water Supply Corporation (WSC) to Amend its Certificate of Convenience and Necessity in Upshur and Wood Counties.*

On June 8, 2015, Sharon WSC (Applicant) filed with the Public Utility Commission of Texas (Commission) an application requesting to amend its 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).

A Staff review of the additional information filed by the Applicant found that it is sufficient in the required application and mapping information. Therefore, Staff recommends that the application be deemed sufficient for filing and found administratively complete. Staff further recommends the following:

1. The Applicant be ordered to provide notice of the application to the following:
 - a) any districts, utilities and cities within (2) miles of the proposed CCN service areas;
 - b) any city with an extraterritorial jurisdiction which overlaps the proposed CCN service areas;
 - c) county judge of each county;
 - d) any groundwater conservation district that is wholly or partly included in the proposed CCN service areas;
 - e) landowners with more than 25 acres and any affected parties in the proposed CCN service areas. The landowner information may be obtained from the county appraisal district tax rolls for the county in which the proposed CCN service areas lies;
 - f) Publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Upshur and Wood Counties.
2. The Applicant should provide correct notice of the application to the following entities:
 - Big Woods Springs Water (CCN No. 12367)
 - DJM Enterprises (to acquire water CCN No. 12367 with Docket 45581)
 - Fouke WSC (CCN No. 10488)
 - Jones WSC (CCN No. 10475)

- Pritchett WSC (CCN No. 10478)
 - Texas Water Systems Inc. (CCN No. 12473)
 - Sabine River Authority (District No. 7400000)
 - Upper Sabine Valley SWMD (District No. 8145100)
 - Upshur County Judge
 - Wood County Judge
3. Include a copy of a map showing the proposed CCN service areas with the individual notices to neighboring utilities, landowners and other affected parties. It is the Applicant's burden to provide an accurate map delineating the proposed CCN service areas with each individual notice. Information related to districts including addresses can be obtained by the Applicant from the TCEQ web site located at <http://www14.tceq.texas.gov/iwud/>

Within 30 days of the Commission order, the Applicant should file a copy of the actual notice and map issued with the individual mailed notice, tearsheets of the published notice, and the signed affidavits (copies attached), indicating that the publication and notice was given in accordance with 16 TAC § 24.106(b)(6) and § 24.106(c).

ATTACHMENT B

Notice for Publication

NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN UPSHUR AND WOOD COUNTIES, TEXAS

Sharon WSC has filed an application with the Public Utility Commission of Texas to amend a Certificate of Convenience and Necessity for the provision of water utility service in Upshur and Wood Counties.

The proposed water CCN service areas is located approximately 9 miles northeast of downtown Quitman, Texas, and is generally bounded on the north by FM 2088 on the east by FM 852 on the south by approximately 500 feet from Texas 154 on the west by approximately 250 feet from FM 312

The proposed water CCN service area requested includes approximately 21,342 acres and 0 current customers.

A copy of the proposed water service area map is available at:

6175 N State Highway 37, Winnsboro TX 75494-6492- (903)342-3525

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a large scale map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221

If you need information about this notice, please call (903)342-3525

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN UPSHUR AND WOOD COUNTIES, TEXAS

To: _____
(Neighboring System, Landowners or City)

(Address)

(City State Zip)

Date Notice Mailed: _____, 2016

Sharon WSC has filed an application with the Public Utility Commission of Texas to amend a Certificate of Convenience and Necessity for the provision of water utility service in Upshur and Wood Counties.

The proposed water CCN service areas is located approximately 9 miles northeast of downtown Quitman, Texas, and is generally bounded on the north by FM 2088 on the east by FM 852 on the south by approximately 500 feet from Texas 154 on the west by approximately 250 feet from FM 312

The proposed water CCN service area requested includes approximately 21,342 acres and 0 current customers.

See enclosed map of the proposed water service area.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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If you need information about this notice, please call (903)342-3525.

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES, LANDOWNERS AND CITIES
DOCKET NO. 44816

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual
notice to the following entities and landowners:

DATE

_____	_____
_____	_____
_____	_____
_____	_____

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 44816

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____