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DOCKET NO. 44820

APPLICATION OF CITY OF  
HACKBERRY FOR A SEWER  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN DENTON  
COUNTY

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PUBLIC UTILITY COMMISSION  
OF TEXAS

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**ORDER NO. 6**  
**FINDING APPLICATION CONTINUES TO BE INCOMPLETE AND DEFICIENT,**  
**ESTABLISHING DEADLINES, AND OPPORTUNITY TO CURE**

**I. Application**

On June 9, 2015, the City of Hackberry filed an application to obtain a new sewer certificate of convenience and necessity in Denton County with the Public Utility Commission of Texas (Commission).

**II. Staff Recommendation on Administrative Completeness of the Application**

On November 13, 2015, Commission Staff filed a supplemental recommendation regarding administrative completeness of the amended filing. Commission Staff has determined that the application remains insufficient for filing as specifically described in Commission Staff's supplemental recommendation and attached memorandum of Heidi Graham and Tracy Harbour of the Commission's Water Utility Regulation Division. Pursuant to 16 Tex. Admin. Code § 24.8(a), applications are not considered filed until a determination of administrative completeness is made; thus, at this time the application is not considered filed with the Commission.

**III. Proposed Procedural Schedule**

Commission Staff proposes that the City of Hackberry be given until December 15, 2015, to address the additional identified deficiencies. Commission Staff proposes to file a second supplemental recommendation regarding completeness of further amendments to the application.

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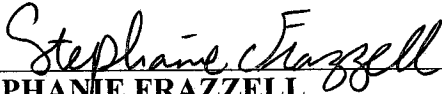
**IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure**

Consistent with Commission Staff's supplemental recommendation, the City of Hackberry's application continues to be administratively incomplete and deficient. On or before **December 15, 2015**, the City of Hackberry shall amend its application to cure the additional deficiencies identified by Commission Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **January 14, 2016**, Commission Staff shall file a second supplemental recommendation regarding administrative completeness of the application and notice along with a proposed procedural schedule, if appropriate.

SIGNED AT AUSTIN, TEXAS the 16<sup>th</sup> day of November 2015.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
STEPHANIE FRAZZELL  
ADMINISTRATIVE LAW JUDGE