



Control Number: 44820



Item Number: 21

Addendum StartPage: 0

RECEIVED

2016 FEB 19 PM 2:27

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

§
§
§
§

PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**HACKBERRY'S SECOND AMENDMENT TO APPLICATION
AND RESPONSE TO NOTICE OF MAPPING DEFICIENCIES**

COMES NOW the City of Hackberry, Texas (the "Applicant") and files this its second amendment to its Application for a sewer CCN and its response to the mapping deficiencies stated in the Staff's the responses, more fully developed in the PUC Interoffice Memorandums dated July 7, 2015 (the "July Memorandum") and November 9, 2015 (the "November Memorandum").

1. Attached as Exhibit A is a true and correct copy of the Town of Little Elm's Consent to the decertification of that part of Little Elm's Sewer CCN No. 20931 which lies within the Hackberry's proposed sewer CCN. This Consent was previously filed in this docket on February 12, 2016.

2. Attachment No. 2 to the Applicant's sewer CCN application is supplemented by the General Location Map attached hereto as Exhibit B.

3. Attachment No. 2 to the Applicant's sewer CCN application is supplemented by the Large Scale Map attached hereto as Exhibit C.

4. The Applicant's Application is supplemented by new data disks attached hereto within an envelop identified as Exhibit D. The new data disks were prepared by Suzanne Burt, with A&S Business Group, Inc., on behalf of the Applicant.

The Applicant submits that the deficiencies have been resolved and requests the Application be determined as administratively complete.

21

Respectfully Submitted,

By: 

John Rapier
State Bar No. 16550500
GAY, MCCALL, ISAACKS & ROBERTS, P.C.
777 E. 15th Street
Plano, Texas 75074
Tel (972) 424-8501
Fax (972) 422-9322
jrapier@gmigr.com
Attorney for Applicant,
the City of Hackberry, Texas

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on the following parties of record on February 10, 2016, in accordance with 16 TAC § 22.74.

Via electronic mail - Douglas.Brown@puc.texas.gov

Douglas Brown
Attorney-Legal Division
Public Utilities Commission of Texas
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326



John Rapier

Exhibit A
to
Hackberry's Second Amendment to Application
and Response to Notice of Mapping Deficiencies

DOCKET NO. 44820

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

§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2015 FEB 12 PM 1:18
PUBLIC UTILITY COMMISSION
FILING CLERK

TOWN OF LITTLE ELM'S CONSENT

COMES NOW the Town of Little Elm, Texas (the "Town") and files this consent to the decertification of the Town's sewer CCN that lies within the extraterritorial jurisdiction of the City of Hackberry ("Hackberry"), and would show the following:

BACKGROUND

1. On June 9, 2015, Hackberry, filed with the Public Utility Commission of Texas, (the "Commission") an application to obtain a new sewer Certificate of Convenience and Necessity (CCN) in Denton County, Texas.
2. On July 9, 2015, Commission Staff filed comments on the application identifying deficiencies in the Application. One of the deficiencies noted by the Staff is that a portion of the sewer CCN area requested by Hackberry application over laps a sewer CCN held by the Town and a portion of the corporate limits as shown on the attached maps.
3. All of the over lapping area is the subject matter of an ETJ and CCN Agreement between the Town and Hackberry dated October 23, 2013.
4. On October 3, 2014, the Town filed an application under Docket No. 43452 to amend the Town's water and sewer CCNs. The intent of the Town's application, among others, was to adjust the Town's water and sewer CCN consistent with the Town's Agreement with Hackberry.
5. Because the Town's application is still pending, the Town is executing this consent in order that Hackberry's sewer CCN application may move forward without further delay.

CONSENT

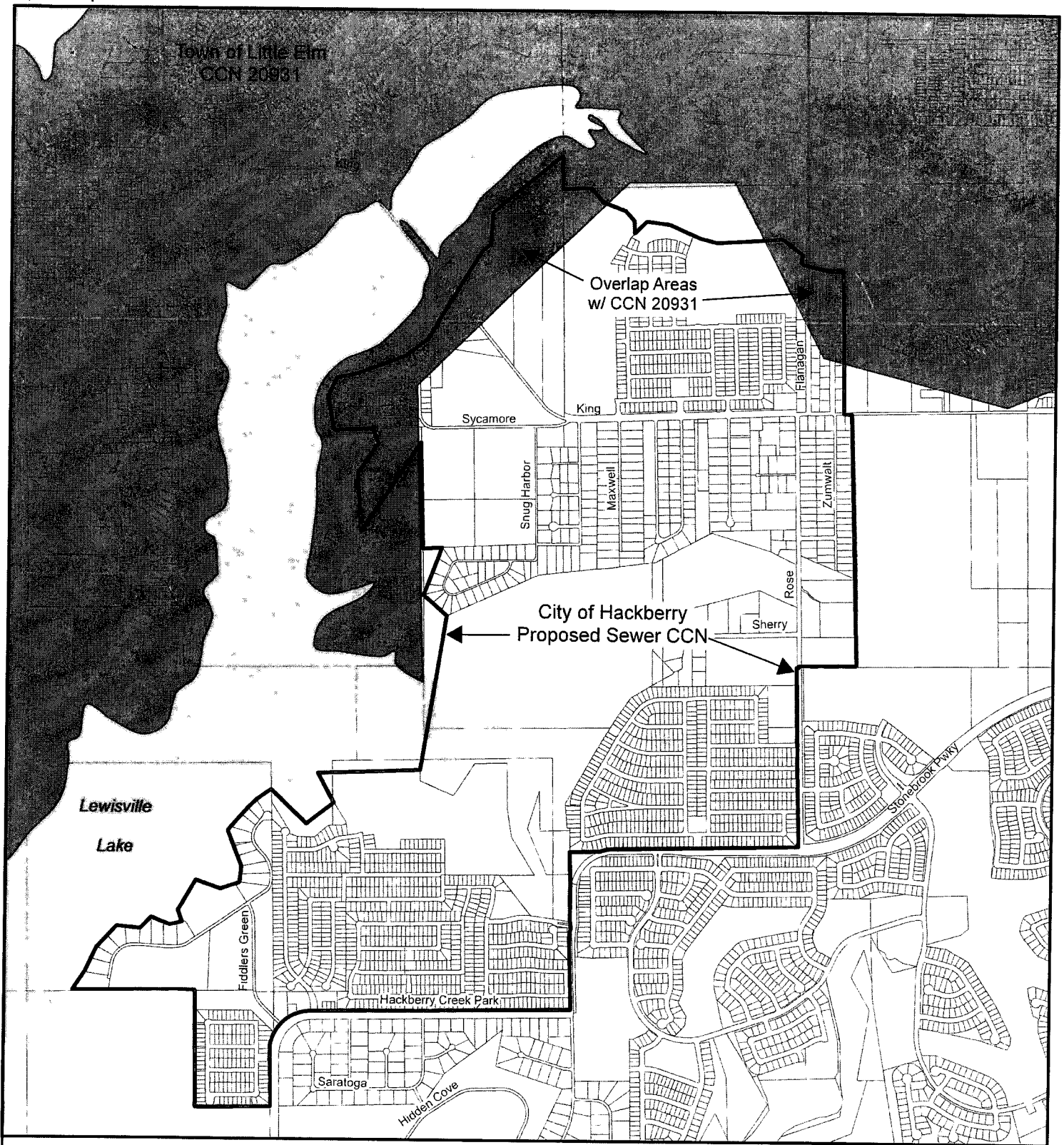
6. Attached as Exhibit A is a map that depicts Hackberry's proposed sewer CCN and the area where it overlaps the Town's current sewer CCN 20931. Pursuant to the Town's Agreement with Hackberry, the Town consents to the decertification of that portion of the Town's sewer CCN No. 20931 that is shown on Exhibit A to be within the proposed Hackberry sewer CCN.

7. Attached as Exhibit B is a map that depicts Hackberry's proposed sewer CCN and the area where it overlaps the Town's corporate limits. The Town consents to the granting of a sewer CCN to Hackberry that is within the corporate limits of the Town as shown on Exhibit B.

Dated: January 19, 2016.

Respectfully Submitted,
Town of Little Elm, Texas

By:  _____
Matt Mueller, Town Manager



City of Hackberry's Proposed Sewer CCN Service Area
in Denton County



Hackberry Proposed Sewer CCN

Sewer CCN

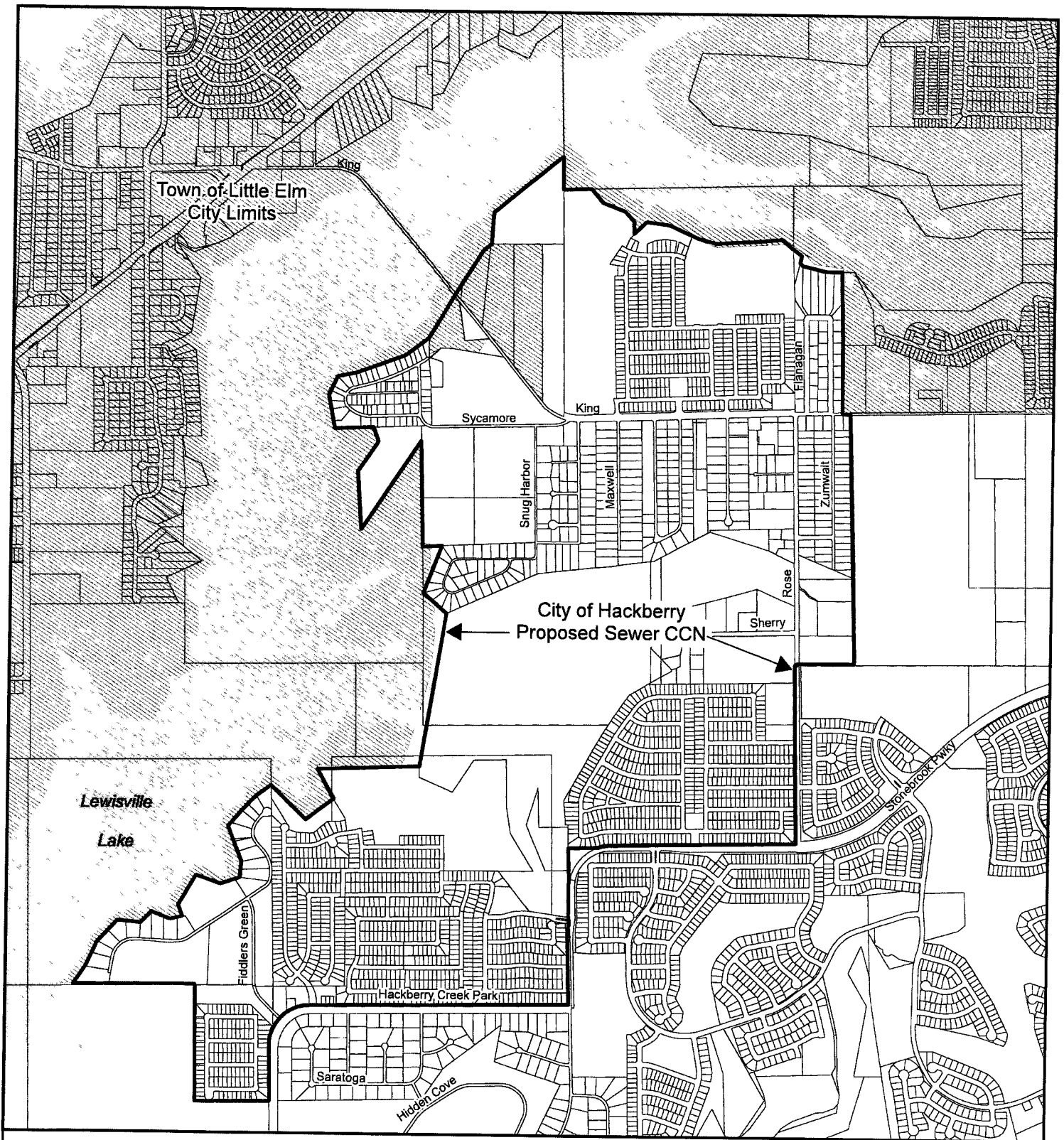


20931-Town of Little Elm

EXHIBIT A

0 750 1,500
Feet

Map by: Suzanne Burt
Date created: January 4, 2016
Base Layers: DCAD Parcels, NHD_Waterbody
Project: City of Hackberry_Little Elm Overlaps.mxd



City of Hackberry's Proposed Sewer CCN Service Area
in Denton County



Hackberry Proposed Sewer CCN

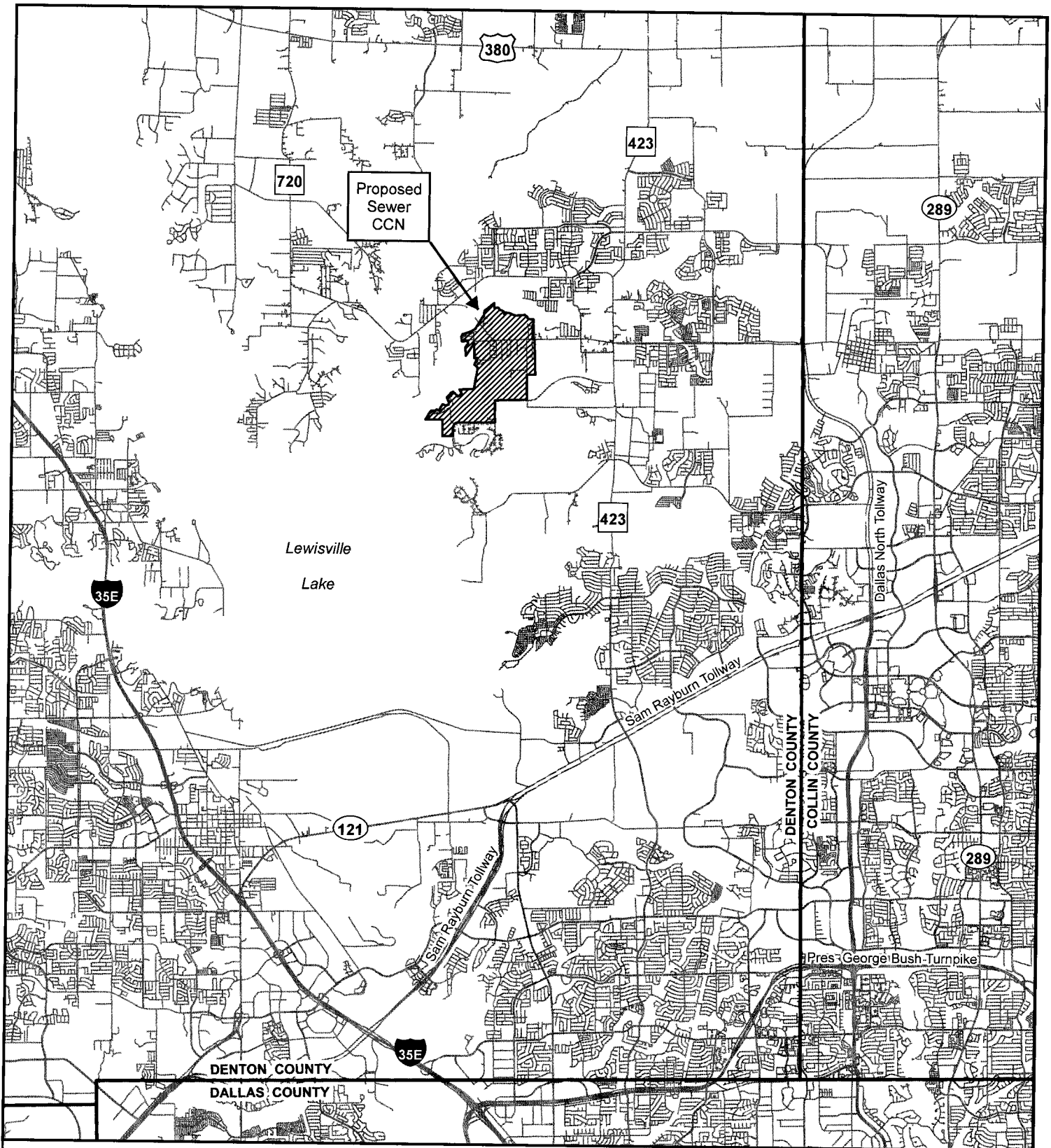
Town of Little Elm City Limits - DCAD GIS data

EXHIBIT B

0 750 1,500
Feet

Map by: Suzanne Burt
Date created: January 4, 2016
Base Layers: DCAD Parcels, DCAD city limits
Project: City of Hackberry_Little Elm Overlaps.mxd
City limit data obtained from Denton Central Appraisal District at
http://www.dentoncad.com/index.php?option=com_docman&task=cat_view&gid=199&Itemid=62

Exhibit B
to
Hackberry's Second Amendment to Application
and Response to Notice of Mapping Deficiencies



General Location Map

Application by the City of Hackberry for a Sewer CCN
and to Decertify a Portion of Town of Little Elm, CCN No. 20931
in Denton County



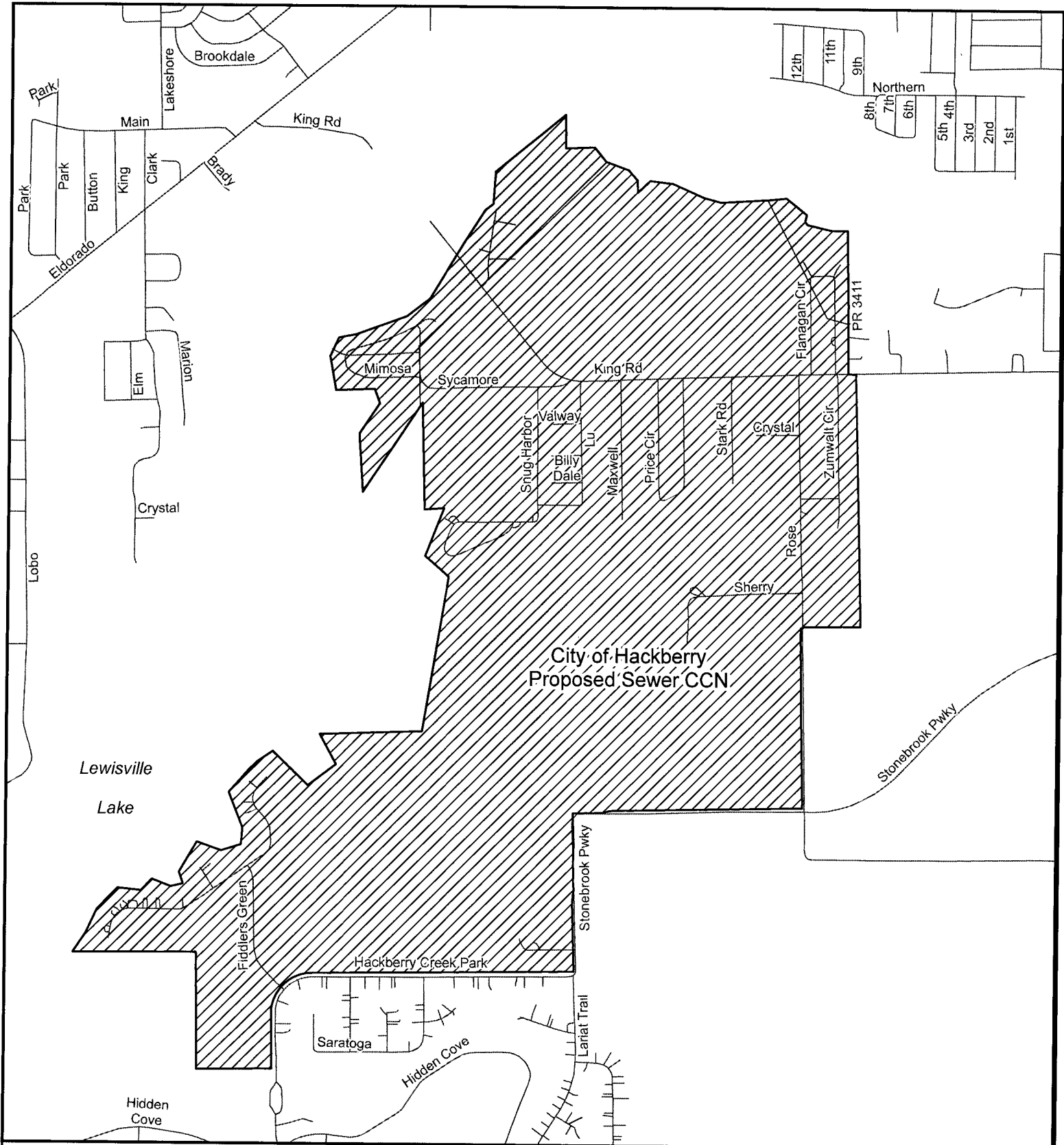
Proposed Sewer CCN Service Area

0 1 2
Miles

EXHIBIT B

Map by: Suzanne Burt
Date created: January 21, 2016
Project: City of Hackberry General Location mxd
Base Map: StratMap Transportation

Exhibit C
to
Hackberry's Second Amendment to Application
and Response to Notice of Mapping Deficiencies



Large Scale Map

Application by the City of Hackberry for a Sewer CCN
and to Decertify a Portion of Town of Little Elm, CCN No. 20931
in Denton County



Hackberry Proposed Sewer CCN Service Area



Decertify Portion of CCN No. 20931 by consent

0 750 1,500
Feet

EXHIBIT C

Map by Suzanne Burt
Date created February 16, 2016
Project: City of Hackberry Large Scale.mxd
Base Map: StratMap Transportation

OVERSIZED DOCUMENT

CD ATTACHED

**TO VIEW OVERSIZED
DOCUMENT PLEASE CONTACT
CENTRAL RECORDS
512-936-7180**