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

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**PUBLIC UTILITY COMMISSION**  
FILING CLERK  
**OF TEXAS**

**ORDER NO. 2  
FINDING APPLICATION INCOMPLETE AND DEFICIENT,  
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

**I. Application**

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

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

On July 9, 2015, Public Utility Commission of Texas (Commission) Staff filed comments on the application. Commission Staff has determined that the application is not administratively complete because it contained material deficiencies, as specifically described in Commission Staff's July 9, 2015, filing. On July 10, 2015, Commission Staff supplemented its response to include the attached memorandum from Lisa Fuentes, Heidi Graham, and Tracy Harbour of the Water Utilities Division, which was inadvertently omitted from the July 9, 2015 filing regarding the application's deficiencies. Pursuant to P.U.C. SUBST. R. 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 Applicant be given until August 9, 2015, to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional comments regarding completeness of the amended application, along with a proposed procedural schedule, if appropriate, by September 9, 2015.


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

Consistent with Commission Staff's recommendation, City of Hackberry's application is found administratively incomplete and deficient. On or before **August 9, 2015**, City of Hackberry shall amend its application to cure the deficiencies described by Commission Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **September 9, 2015**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule, if appropriate.

SIGNED AT AUSTIN, TEXAS the 13<sup>th</sup> day of July 2015.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
**STEPHANIE FRAZZELL**  
**ADMINISTRATIVE LAW JUDGE**