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DOCKET NO. 44843

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PUBLIC UTILITY COMMISSION
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APPLICATION OF CHILDRESS §
CREEK WATER SUPPLY §
CORPORATION TO AMEND ITS §
WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
BOSQUE COUNTY BY §
DECERTIFYING THE VM §
NEIGHBORS WATER GROUP §
TRACTS §

PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S
SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS**

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files its Supplemental Recommendation on Administrative Completeness. In support of its Supplemental Recommendation on Administrative Completeness, Staff states the following:

I. Background

On June 16, 2015, Childress Creek Water Supply Corporation (Childress Creek WSC) filed an application with the Commission. Childress Creek WSC requests a decertification of a portion of the service area certificated under water certificate of convenience and necessity (CCN No. 11000). The area to be decertified is currently not receiving, nor has it ever received, water or wastewater services from Childress Creek WSC. The service area is in Bosque County, Texas.

On July 16, 2015, the Administrative Law Judge issued Order No. 2, which found that Childress Creek WSC's application was not administratively complete due to certain mapping deficiencies.

On October 29, 2015, the Administrative Law Judge issued Order No. 4, which established January 15, 2016 as the deadline for Childress Creek WSC to cure the deficiencies in its application. Order No. 4 also established February 15, 2016 as the deadline for Staff to file a supplemental recommendation on the cured deficiencies.¹

On January 15, 2016, Childress Creek WSC filed additional mapping information with the

¹ The Commission was closed for business on February 15, 2016. Thus, under 16 Tex. Admin. Code § 22.4(a), the deadline is February 16, 2016.

Commission.

II. Staff's Recommendation

Staff has reviewed the additional mapping information filed by Childress Creek WSC, and Staff has identified the following deficiencies in the additional mapping filed by Childress Creek WSC:²

a. Childress Creek WSC must submit a revised small scale (general location) map only showing the location of the proposed service area in the vicinity of the nearest town, city, or county.

b. Childress Creek WSC must submit a revised large scale (detailed) map only delineating the proposed service area with enough detail to accurately locate the proposed service area in reference to verifiable man-made and natural landmarks such as streets, railroads and rivers.

With regards to Childress Creek WSC's proposed notice, Staff is unable to make a recommendation at this time because Childress Creek WSC has yet to provide adequate mapping information.

Staff recommends Childress Creek WSC be given thirty (30) days to amend its application in order to cure the deficiencies identified by Staff, with the deadline being March 17, 2016. Staff will then review this amended application for administrative completeness. In the event that Staff determines that Childress Creek WSC's amended application is administratively complete, Staff will propose a procedural schedule by April 15, 2016.

III. Conclusion

Staff recommends that Childress Creek WSC's application be determined not administratively complete. Staff also recommends that Childress Creek WSC be given thirty (30) days to amend its application in order to cure the deficiencies identified by Staff.

² Staff's recommendation is based on the attached memorandum from Debbie Reyes Tamayo from the Water Utility Regulation Division.

Date: February 16, 2016

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division



Sam Chang
State Bar No. 24078333
Attorney, Legal Division

Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7261
(512) 936-7268 (facsimile)
sam.chang@puc.texas.gov

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on February 16, 2016, in accordance with 16 Tex. Admin. Code § 22.74.



Sam Chang

PUC Interoffice Memorandum

To: Sam Chang, Attorney
Legal Division

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

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

Date: February 11, 2016

Subject: **Docket No. 44843;** *Application of Childress Creek Water Supply Corporation (WSC) to Amend its Water Certificate of Convenience and Necessity (CCN) in Bosque County by Decertifying the VM Neighbors Water Group Tracts*

On June 16, 2015, Childress Creek WSC (Applicant) filed an application to decertify a portion its Certificate of Convenience and Necessity (CCN) No. 11000 in Bosque County. The area to be decertified is not receiving, nor has it ever received, water service from Childress Creek WSC. VM Neighbors Water Group currently provides service to the eight customers located within the area to be decertified and will seek to obtain exempt registration status in Docket No. 44849. The application is currently reviewed under 16 Tex. Admin. Code §§ 24.102 through 24.105 (TAC) and Tex. Water Code § 13.246(c) (TWC).

Mapping Requirements

Maps and mapping documents are insufficient and staff is unable to determine and evaluate notice documents until mapping requirements are met by the Applicant. The revised small and large scale maps should remove the existing water CCN service area for Childress Creek WSC (11000), and only show the proposed service area, which the Applicant is seeking to decertify. In order to resolve the mapping deficiencies, Staff recommends the Applicant provide the following:

- A revised small scale (general location) map only showing the location of the proposed service area in the vicinity of the nearest town, city, or county.
- A revised large scale (detailed) map only delineating the proposed service area with enough detail to accurately locate the proposed service area in reference to verifiable man-made and natural landmarks such as streets, railroads and rivers.

Based on the information above, I recommend the applicant rectify the mapping issues within 30 calendar days from the date of the order. If the applicant fails to rectify the deficiency during this time frame, I further recommend dismissal of the application.

TB/DRT