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DOCKET NO. 44870

**APPLICATION OF TERRA §
SOUTHWEST INC. AND TOWN OF §
LITTLE ELM FOR SALE, TRANSFER, §
OR MERGER OF CERTIFICATE §
RIGHTS IN DENTON COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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FILING OFFICE

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

I. Application

On June 23, 2015, Terra Southwest Inc. (Terra Southwest) and the Town of Little Elm (Little Elm) filed an application with the Public Utility Commission of Texas (Commission) for approval of the sale, transfer, or merger of facilities and certificate of convenience and necessity rights in Denton County.

II. Staff Recommendation on Administrative Completeness of the Application

On July 21, 2015, Commission Staff filed a recommendation on administrative completeness. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies as specifically described in Commission Staff's July 21, 2015 filing and the attached memorandum of Leila Guerrero and Komal Pate of the Commission's Water Utility Regulation Division. Pursuant to 16 Tex. Admin. Code § 24.8(a) (TAC), 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.

In addition, Commission Staff recommended that Applicants be given an opportunity to cure the identified deficiencies and should not publish notice of the application until these deficiencies are corrected and approved by Staff.

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III. Finding Application Incomplete and Deficient, Providing Opportunity to Cure

Consistent with Commission Staff's recommendation, the application is found administratively incomplete and deficient. On or before **August 25, 2015**, Applicants shall amend the application to cure the deficiencies noted by Staff. Processing of the application cannot proceed until the requested items are received and reviewed. Applicants shall not publish notice of the application until these discrepancies are corrected and notice has been approved by Commission Staff.

Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule on or before **September 25, 2015**.

SIGNED AT AUSTIN, TEXAS on the 23rd day of July 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE