



Control Number: 44892



Item Number: 14

Addendum StartPage: 0

APPLICATION OF CITY OF LUBBOCK §
TO AMEND A CERTIFICATE OF §
CONVENIENCE OF TEXAS AND §
NECESSITY IN LUBBOCK COUNTY §

PUBLIC UTILITY COMMISSION

OF TEXAS

RECEIVED
JAN 11 PM 2:07
PUBLIC UTILITY COMMISSION
FILING CLERK

JOINT REQUEST FOR GOOD CAUSE EXCEPTION AND EXTENSION OF TIME

The Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and the City of Lubbock (City)(collectively the parties) jointly file this Request for Good Cause Exception and Extension of Time. In support thereof, Staff shows the following:

I. Background

On June 30, 2015, the City of Lubbock (the City) filed with the Public Utility Commission of Texas (Commission) an application to amend its water certificate of convenience (CCN) No. 10627 in Lubbock County, Texas pursuant to Texas Water Code Ann. (TWC), §§13.242-.250 and the 16 Tex. Admin Code (TAC) §§24.101-107. On December 11, 2015, Staff filed a Supplemental Response to Order No. 3 identifying deficiencies in the City's application and recommending the application be found administratively incomplete and deficient. On December 15, 2015, Order No. 4 was issued finding the application administratively incomplete and deficient. Order No. 4 required the City to amend its application to cure the deficiencies noted by Staff by January 11, 2016. Order No. 4 also required Staff to file a recommendation on the administrative completeness of the amended application by February 9, 2016. Accordingly, this pleading is timely filed.

II. Joint Request for Good Cause Exception and Extension of Time

Staff has identified the following deficiencies in the City's application:

Mapping Content

The City's proposed area overlaps the service areas of the following entities:

- a. AIM Water (CCN No. 12526)
- b. Franklin Water Service (CCN No. 12374)
- c. City of Wolfforth

d. Lubbock County WCID 1 (District No. 5530000); PWS ID 1520006;

Staff suggested the City use PUC's official CCN digital data to remove the overlaps with existing CCNs. The City must resolve the overlaps with the City of Wolfforth and Lubbock County WCID 1 by either obtaining written documentation acknowledging their agreement with the City to provide water service within their respective boundaries, or by removing the overlaps from the proposed digital data and the corresponding small and large scale maps. If the City opts to remove the areas of overlap with the City of Wolfforth and Lubbock County WCID 1, the City will need to submit revised digital data and revised small and large scale maps showing the same proposed water service areas.

Staff recommended the City submit the following to resolve the mapping deficiencies:

1. Revised small and large scale maps with corresponding revised digital data showing the same proposed water service areas subject to this application by:
 - a. Removing overlaps with existing CCNs including the City of Lubbock (10627), AIM Water (12526), and Franklin Water Service (12374);
 - b. Remove the overlap with the corporate boundaries of the City of Wolfforth, or obtain consent allowing the City to provide retail water service within its city limits; and
 - c. Remove the overlap with the district boundaries of Lubbock County WCID 1, or obtain consent allowing the City to provide retail water service within the district's boundaries.

Staff recommended the City discuss how to resolve the mapping deficiencies with PUC mapping staff, noting that processing of the application could not proceed until the requested items are received and reviewed.

Pursuant to 16 TAC § 22.4(b), a party may request the time for filing any documents to be extended for good cause. Staff has requested a clarification from the City regarding the mapping deficiencies identified in Staff's December 11, 2015 filing that is determinative of sufficiency. Staff and the City are in the process of resolving the issue, and the City is currently discussing the mapping deficiencies with PUC mapping staff. Although Staff expects that the issue will be resolved shortly, the parties jointly request a good cause exception pursuant to 16 TAC § 22.4(b) that will allow the City to file supplemental information regarding the mapping deficiencies by

January 22, 2016. Staff will file a supplemental recommendation on the administrative completeness of the amended application by February 9, 2016, or propose an updated procedural schedule as provided in Order No. 4.

III. Conclusion

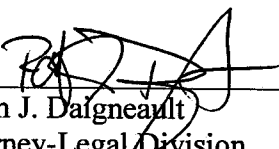
The parties respectfully request that an order be issued allowing the City to file supplemental information on January 22, 2016.

Dated: January 11, 2016

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director – Legal Division

Karen S. Hubbard
Managing Attorney – Legal Division



Ralph J. Daigneault
Attorney-Legal Division
State Bar No. 24040755
(512) 936-7348 (telephone)
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 11, 2016, in accordance with 16 TAC § 22.74.



Ralph J. Daigneault