



Control Number: 44892



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DOCKET NO. 44892

RECEIVED

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

PUBLIC UTILITY COMMISSION

2016 SEP 15 PM 2:42
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**COMMISSION STAFF'S UNOPPOSED REQUEST FOR EXTENSION OF TIME AND
PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Unopposed Request for Extension and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. Background

On June 30, 2015, the City of Lubbock (Lubbock) 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 October 28, 2015, the City filed an amended application to amend its water CCN No. 10627 and its sewer CCN No. 20230.

On July 11, 2016, the Administrative Law Judge (ALJ) issued Order No. 9 requiring Staff to file a final recommendation on the application, if no hearing is requested, by September 15, 2016. Accordingly, this pleading is timely filed.

II. Request for Extension

Staff is unable to provide a final recommendation at this time because additional mapping information is needed which will remove an overlap with JE Franklin Trust's sewer CCN No. 20743 from the proposed sewer CCN. Staff mapping has been working with Lubbock to resolve the mapping deficiencies, noting that processing of the application could not proceed until the requested items are received and reviewed. Specifically, Staff recommends that Lubbock provide the following items to resolve the following mapping deficiencies:

- A revised large scale (detailed) map showing only the proposed CCN service areas accurately removing the overlap with JE Franklin Trust's sewer CCN No. 20743 and detailed enough to be accurately located in reference to verifiable man-made and/or natural landmarks such as roads, railroads, and rivers.
- Revised digital data in a shapefile (SHP) format accurately removing the overlap with JE Franklin Trust's sewer CCN No. 20743 from the proposed sewer CCN. The digital data must include the projection (PRJ) file used to create the digital data.

Staff and Lubbock continue to work towards resolution of all outstanding issues, and Staff requests that the ALJ find good cause to extend the deadline for Staff to file its final recommendation to November 18, 2016. Staff has conferred with Lubbock, which has indicated it does not oppose this request.

III. Proposed Procedural Schedule

Staff proposes the following procedural schedule for final processing of the application:

Event	Date
Deadline for Lubbock to file revised mapping documentation for the proposed sewer CCN.	October 3, 2016
Deadline for Staff to file a recommendation on the revised mapping documentation filed by Lubbock.	October 19, 2016
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Lubbock for review and consent	November 1, 2016
Deadline for Lubbock to file signed consent forms with the Commission	November 14, 2016
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	November 18, 2016
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	December 2, 2016

IV. Conclusion

Staff respectfully requests that an order be issued consistent with this request.

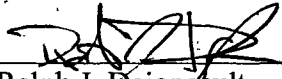
Dated: September 15, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 15, 2016, in accordance with 16 TAC § 22.74.



Ralph J. Daigneault

PUC Interoffice Memorandum

To: Ralph Daigneault
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Work Lead
Heidi Graham, Work Lead
Water Utilities Division

From: Patricia Garcia, Engineering Specialist
Tracy Montes, GIS Specialist
Water Utilities Division

Date: September 15, 2016

Subject: **Docket 44892**, *Application of City of Lubbock to Amend its Certificates of Convenience and Necessity (CCN) in Lubbock County*

On June 30, 2015, City of Lubbock (City) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10627 and its sewer CCN No. 20230 in Lubbock County, Texas pursuant to Texas Water Code Ann. (TWC), §§ 13.242 to 13.250 and the 16 Tex. Admin Code (TAC) §§24.101 to 24.107.

Staff is unable to provide a final recommendation because additional mapping information is needed from the Applicant which removes an overlap with JE Franklin Trust's sewer CCN No. 20743 from the proposed sewer CCN. PUC mapping staff has been working with the City to resolve the mapping deficiencies, noting that processing of the application could not proceed until the requested items are received and reviewed.

Specifically, Staff recommends the Applicant provide the following items to resolve the following mapping deficiencies:

- A revised large scale (detailed) map showing only the proposed CCN service areas accurately removing the overlap with JE Franklin Trust's sewer CCN No. 20743 and detailed enough to be accurately located in reference to verifiable man-made and/or natural landmarks such as roads, railroads, and rivers.
- Revised digital data in a shapefile (SHP) format accurately removing the overlap with JE Franklin Trust's sewer CCN No. 20743 from the proposed sewer CCN. The digital data must include the projection (PRJ) file used to create the digital data.