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

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PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**CITY OF LUBBOCK'S RESPONSE TO ORDER NO. 12
ADOPTING REVISED PROCEDURAL SCHEDULE AND
REQUIRING SUBMISSION OF REVISED MAPPING DOCUMENTATION**

COMES NOW, the City of Lubbock (the "City"), by and through its undersigned attorneys of record, and files this Response to the Public Utility Commission's ("Commission") Order No. 12 and submits the revised mapping documentation as required therein.

I. BACKGROUND

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

Order No. 10 was issued on September 16, 2016, which established a revised procedural schedule that included a deadline of October 3, 2016 for the City to file revised mapping documentation for the proposed sewer CCN amendment. In addition, the revised schedule provided a deadline of October 19, 2016 for Commission Staff to file a recommendation on the revised mapping documentation.

On September 30, 2016, the City timely filed the revised mapping documentation required in Order No. 10. However, the City was notified by Commission Staff on October 18, 2016 that the revised mapping documentation was deficient and that the City was required to make additional revisions.

On October 19, 2016, Commission Staff and the City filed a Joint Motion to Abate Proceeding (the "Joint Motion") until mapping deficiencies are resolved. The Joint Motion required the filing of a status report by the parties no later than October 28, 2016, requesting a new procedural schedule for the continued processing of the amendment. Order No. 11, Order of Abatement, was issued on October 21, 2016, requiring that the proceeding be abated until October 28, 2016.

After discussions regarding the length of time necessary for the preparation and review of the necessary revised mapping, the Commission Staff and the City filed a Joint Status Report and Proposed Revised Procedural Schedule ("Joint Status Report") on October 28, 2016.

The Commission issued Order No. 12, Unabating Docket and Adopting Revised Procedural Schedule on November 1, 2016. The revised schedule required that the City file revised mapping documentation for the proposed sewer CCN by November 10, 2016, and for Commission Staff to file a recommendation on the revised mapping filed by the City by November 18, 2016.

After Order No. 12 was issued, Commission Staff mapping personnel and the City corresponded numerous times via email to discuss and resolve the outstanding mapping deficiencies. The City was informed by Commission Staff on the afternoon of November 10, 2016 of the final adjustments Commission Staff required to the information submitted by email to the mapping personnel for unofficial review and was instructed to proceed with preparing and submitting for official review the large, full-size maps and digital data.

Because November 11, 2016 was a holiday for the employees of the State of Texas and the City, the required documents could not be adjusted by the City until Monday, November 14,

2016. On that date, the City finalized the revised mapping and arranged for its overnight delivery to Austin, Texas for immediate filing upon delivery.

This Response and the exhibits attached hereto are provided in satisfaction of the additional mapping documentation required by Order No. 12.

II. RESPONSE TO REQUEST FOR ADDITIONAL MAPPING DOCUMENTATION

As indicated by Commission Staff and the City in the Joint Status Report filed on October 28, 2016, and in the actions taken since that date, the City and Commission Staff have worked diligently toward resolution of the outstanding mapping issues. The City thus submits the following items for the proposed sewer CCN to resolve the deficiencies in mapping content associated therewith as identified by Commission Staff:

- (1) Exhibit 1: A revised large-scale (detailed) map showing only the proposed sewer CCN service area accurately and detailed enough to be accurately located in reference to verifiable man-made and/or natural landmarks such as roads, railroads, and rivers.
- (2) Exhibit 2: Revised digital data in shapefile ("SHP") format that accurately shows the service area of the proposed sewer CCN.

With respect to the filing deadline, the City has corresponded with Commission Staff, and Staff recognizes that the delay in filing these revised maps is for good cause as Commission Staff and the City communicated continuously through the revision process up until the filing deadline to work through the mapping deficiencies.

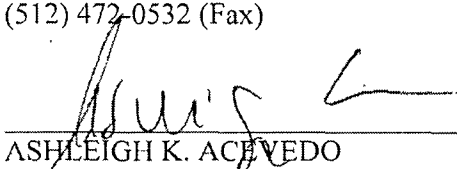
III. CONCLUSION

The City respectfully requests Commission Staff's consideration of this Response in resolving all of the outstanding mapping deficiencies as identified in Commission Staff's request on October 19, 2016.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE
& TOWNSEND, P.C.**

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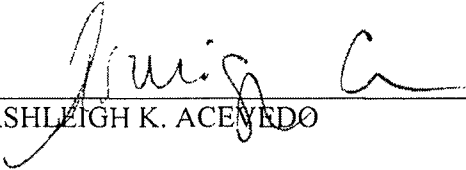
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ATTORNEYS FOR THE CITY OF LUBBOCK

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on November 15, 2016, in accordance with 16 Tex. Admin. Code § 22.74.

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Docket No. 44892
City of Lubbock
November 15, 2016

Exhibit 1

Oversized Map

TO VIEW, PLEASE CONTACT CENTRAL RECORDS

OVERSIZED DOCUMENT

MAP

**TO VIEW OVERSIZED
DOCUMENTS, PLEASE CONTACT
CENTRAL RECORDS AT
512-936-7180**