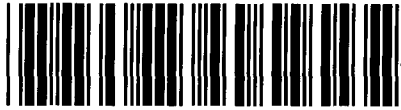




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DOCKET NO. 44892

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

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 14
REQUIRING CLARIFICATION**

This Order requires Commission Staff and the City of Lubbock to clarify whether and to what extent the consent of Lubbock County WCID #1 is necessary before this application can be approved. On February 8, 2016¹ and March 11, 2016,² Commission Staff identified deficiencies in the application, recommending that the application remain administratively incomplete. Commission Staff stated that in order to complete its technical review, among other things, the City must provide documentation signed by Lubbock WCID allowing the City to provide retail water and sewer services within the district's boundaries. The City of Lubbock responded on March 3, 2016, that the area proposed in the application to be added to the City's CCN does not fall within the current boundaries of the WCID, and that consent from the WCID was not required.³ On April 8, 2016, the City argued against Commission Staff's position that the City obtain the consent of the WCID, and requested that Staff withdraw the requirement of obtaining consent from the Lubbock County WCID #1.⁴

On May 9, 2016, Commission Staff recommended finding the amended application administratively complete. However, the undersigned administrative law judge did not find any further mention of Lubbock County WCID #1 in this proceeding. Therefore, before a notice will be issued in this proceeding, Commission Staff and the City of Lubbock shall clarify whether consent from the WCID is required, and if so, provide a copy of such consent.

¹ Commission Staff's Request for Good Cause Exception and Extension of Time at 1-2 (Feb. 8, 2016).

² Commission Staff's Supplemental Recommendation Finding Amended Application Administratively Incomplete at 3 (Mar. 11, 2016).

³ City of Lubbock Supplement to Application at 2-3 (Mar. 3, 2016).


⁴ City of Lubbock's Response to Order No. 7 at 2-4 (Apr. 8, 2016).

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On or before February 24, 2017, Commission Staff and or the City shall provide the required clarification.

Signed at Austin, Texas the 10th day of February 2017.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE

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