



Control Number: 44947



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APPLICATION OF DENTON COUNTY §
MUNICIPAL UTILITY DISTRICT NO. §
7 TO OBTAIN WATER AND SEWER §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN DENTON COUNTY

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COMMISSION STAFF'S RESPONSE TO ORDER NO. 3

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Response to Order No. 3. In support thereof, Staff shows the following:

I. BACKGROUND

On July 16, 2015, Denton County Municipal Utility District No. 7 (Denton County MUD 7) filed an application to obtain new water and sewer certificates of convenience and necessity in Denton County, Texas pursuant to Tex. Water Code (TWC) Subchapter G and 16 Tex. Admin. Code (TAC) Subchapter G. Denton County MUD 7 is seeking dual certification with Mustang Special Utility District.¹ In its application, Denton County MUD 7 included an Agreement for Dual Certification whereby Mustang Special Utility District consents to the dual certification.²

Order No. 2, issued August 19, 2015 found the application administratively incomplete and established new deadlines. On September 18, 2015, Denton County MUD 7 filed supplemental materials. On October 14, 2015, Staff filed a recommendation of deficiency. Order No. 3, issued October 15, 2015 found the application administratively incomplete a second time and ordered Denton County MUD 7 to file supplemental materials by November 18, 2015 and ordered Staff to file a supplemental recommendation by December 4, 2015. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

Staff has reviewed Denton County MUD 7's amended application and, as supported by the attached memorandum of Jolie Mathis and Tracy Montes of the Water Utilities Division, Staff recommends that there are material deficiencies in the amended application rendering it administratively incomplete. Specifically, Denton County MUD 7's revised digital data does not correspond to the new large scale maps for the proposed areas. Because the areas are different,

¹ Application at 4.

² *Id.*

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Staff is unable to determine the exact area requested by Denton County MUD 7, and cannot verify whether the revised maps and digital data adequately remove the previously identified overlaps.

In order to cure the identified deficiency, Staff recommends that Denton County MUD 7 provide revised digital data including both the proposed water and sewer service areas. Staff requests that Denton County MUD 7 be given until January 6, 2016 to cure this deficiency in its application, and that Staff be given until January 27, 2016 to file a supplemental recommendation.

III. CONCLUSION

For the reasons stated above, Staff respectfully requests that an order be issued finding Denton County MUD 7's application administratively incomplete, that Denton County MUD 7 be ordered to cure the deficiencies by January 6, 2015, and that Staff be granted until January 27, 2016 to file a supplemental recommendation.

Respectfully Submitted,

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DOCKET NO. 44947
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record December 4, 2015, in accordance with 16 TAC § 22.74.



Erika Garcia

PUC Interoffice Memorandum

To: Erika Garcia, Attorney
Legal Division

Through: Tammy Benter, Director
Water Utilities Division

From: Jolie Mathis, Engineering Specialist
Tracy Montes, GIS Specialist
Water Utilities Division

SUBJECT: Docket No. 44947, Application of Denton County Municipal Utility District No. 7 to obtain Water and Sewer Certificates of Convenience and Necessity in Denton County

DATE: December 2, 2015

On July 16, 2015, Denton County Municipal Utility District No. 7 (Denton County MUD 7) filed with the Public Utility Commission of Texas (Commission) an application to obtain new water and sewer certificates of convenience and necessity (CCNs) in Denton County, Texas.

The area by Denton County MUD 7 in its original filing overlapped with the existing water CCN No. 13201 of Aqua Texas, Inc., the City of Celina's corporate boundaries, and the district boundaries of both Mobberly Municipal Utility District and Talley Ranch Water Control and Improvement District No. 1. On November 18, 2015, Denton County MUD 7 submitted revised maps and digital data in an attempt to address the overlaps. Based on Staff's review of the new mapping information, the revised digital data for the proposed areas does not correspond to the same location as shown on the new large scale maps. Therefore, Staff is unable to determine the exact location of the proposed areas. Staff is also unable to verify whether or not the Applicant's revised maps and digital data adequately removed the overlaps with Aqua Texas Inc.'s water CCN No. 13201, the City of Celina's corporate boundaries, and the district boundaries of Mobberly MUD and Talley Ranch WCID 1 of Denton County.

To address this deficiency, Staff recommends that Denton County MUD 7 file the following:

1. Revised digital data including both the proposed water and sewer service areas in either a drawing (DWG) or shapefile (SHP) format on a data disk (CD), which corresponds to the same proposed water and sewer service areas as shown on all hard copy maps.
 - a. The proposed digital data must include the projection or coordinate system used to create the digital data.
 - i. If submitting a drawing (DWG) formatted file, include the coordinate system in a text file or add to the label on the CD.
 - ii. If submitting a SHP formatted file, include the projection (PRJ) file.
 - iii. Seven CD's labeled with the utility name and docket number assigned.