



Control Number: 44950



Item Number: 31

Addendum StartPage: 0

APPLICATION OF CITY OF MOUNT §
 PLEASANT FOR AMENDMENT TO §
 CERTIFICATE OF CONVENIENCE §
 AND NECESSITY IN TITUS COUNTY §

PUBLIC UTILITY COMMISSION
 PUBLIC UTILITY COMMISSION
 OF TEXAS FILING CLERK

2016 SEP 16 PM 1:05

AMENDED NOTICE OF APPROVAL

This Amended Notice addresses the application of the City of Mount Pleasant to amend its water and sewer certificates of convenience and necessity (CCN) Nos. 10509 and 20196 in Titus County and to decertify a portion of TRI Special Utility District's (TRI SUD) water CCN No. 10402.¹ The Public Utility Commission of Texas Staff recommended approval of this application. The application, as amended, is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History, Description and Background

1. On July 16, 2015, Mount Pleasant filed an application to amend its water and sewer CCN Nos. 10509 and 20196 in Titus County and to decertify a portion of TRI SUD's water CCN No. 10402.
2. On July 22, 2015, Order No. 1 was issued, requiring comments on administrative completeness.
3. Mount Pleasant filed supplemental information on September 17, 2015, October 8, 2015, November 16, 2015, and March 4, 2016.
4. On April 4, 2016, Order No. 7 was issued, deeming the application administratively complete and establishing a procedural schedule.
5. On April 29, 2016, Mount Pleasant filed proof of notice in addition to supplemental information for the application.

¹ Note: This Amended Notice is issued to include in filing the attachments previously excluded but indicated herein as attached.

6. On August 2, 2016, Mount Pleasant filed information indicating that all of Mount Pleasant's Texas Commission on Environmental Quality violations had been resolved.
7. On August 4, 2016, Mount Pleasant and TRI SUD filed consent forms, agreeing to Commission Staff's proposed maps and certificates.
8. On August 24, 2016, Commission Staff filed a final recommendation for approval of the application, as amended.
9. The maps and certificates referenced in Findings of Fact No. 7 are attached to this Notice.
10. On September 13, 2016, Order No. 8 was issued, admitting evidence into the record of this proceeding.

Description of the Application

11. The total proposed service area addition requested in this application consists of approximately 58 current customers and 1,060 acres for water CCN No. 10509 and 1,674 acres for sewer CCN No. 20196.

Notice

12. Notice of the application was published in the *Texas Register* on July 22, 2015.
13. Notice was provided by publication in the *Mount Pleasant Daily Tribune* on April 8 and 15, 2016.
14. A publisher's affidavit was filed on April 29, 2016.
15. Mount Pleasant mailed notice of the application to neighboring systems, landowners, and cities and to affected parties on April 8, 2016.

Informal Disposition

16. More than 15 days have passed since completion of the notice in this docket.
17. Mount Pleasant and Commission Staff are the only parties to this proceeding
18. No protests have been filed. No requests for a hearing have been filed. No issues of fact or law are disputed by any party; therefore, no hearing is necessary.

II. Conclusions of Law

1. The Commission has jurisdiction over these matters pursuant to Texas Water Code §§ 13.041, 13.241, 13.244, 13.246 and 13.255 (TWC).
2. Mount Pleasant is a retail public utility as defined in TWC § 13.002(19) and 16 Texas Administrative Code 24.3(58) (TAC).
3. Mount Pleasant provided notice in compliance with TWC § 13.246 and 16 TAC § 24.106.
4. The application was processed in accordance with the requirements of TWC § 13.244 – 13.255 and 16 TAC §§ 24.102 and 24.105.
5. After considering the factors in TWC § 13.246(c), Mount Pleasant has demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area and its current service area as required by TWC § 13.241.
6. Mount Pleasant has demonstrated the application meets the requirements set forth in TWC §§ 13.241, 13.244, 13.246 and 13.255, and 16 TAC §§ 24.101-24.102 and 24.104-24.106.
7. Approval of the application is necessary for the service, accommodation, convenience, or safety of the public as required by TWC § 13.246(b) and 16 TAC § 24.102(c).
8. Under TWC § 13.257(r) and 16 TAC § 24.106(f), Mount Pleasant is required to record a certified copy of the approved CCN and map, along with a boundary description of the service area in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
9. Under TWC § 13.257(r) and 16 TAC § 24.106(f), TRI SUD is required to record a certified copy of the approved CCN and map, along with a boundary description of the service area in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
10. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.


III. Ordering Paragraphs

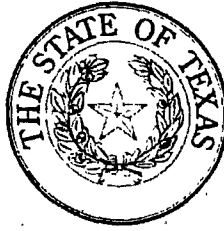
In accordance with these findings of fact and conclusions of law, the Commission issues the following orders:

1. Mount Pleasant's application, as amended, is approved.
2. Mount Pleasant's water CCN No. 10509 and sewer CCN No. 20196 are amended consistent with this Notice.
3. TRI SUD's water CCN No. 10402 is amended consistent with this Notice.
4. Mount Pleasant shall serve every customer and applicant for water and sewer service within the area certified under CCN Nos. 10509 and 20196, and such service shall be continuous and adequate.
5. TRI SUD shall serve every customer and applicant for water service within the area certified under CCN No. 10402, and such service shall be continuous and adequate.
6. Mount Pleasant shall comply with the recording requirements in TWC § 13.257(r) for the area in Titus County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
7. TRI SUD shall comply with the recording requirements in TWC § 13.257(r) for the area in Titus County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
8. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the 16th day of September 2016.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE



Public Utility Commission of Texas

By These Presents Be It Known To All That

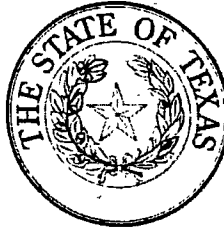
City of Mount Pleasant

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Mount Pleasant is entitled to this

Certificate of Convenience and Necessity No. 10509

to provide continuous and adequate water utility service to that service area or those service areas in Titus County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 44950 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Mount Pleasant to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the 16th day of September 2016.



Public Utility Commission of Texas

By These Presents Be It Known To All That

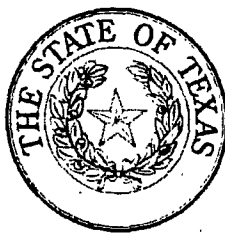
City of Mount Pleasant

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Mount Pleasant is entitled to this

Certificate of Convenience and Necessity No. 20196

to provide continuous and adequate sewer utility service to that service area or those service areas in Titus County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 44950 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Mount Pleasant to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the 16th day of September 2016.



Public Utility Commission of Texas

By These Presents Be It Known To All That

TRI Special Utility District

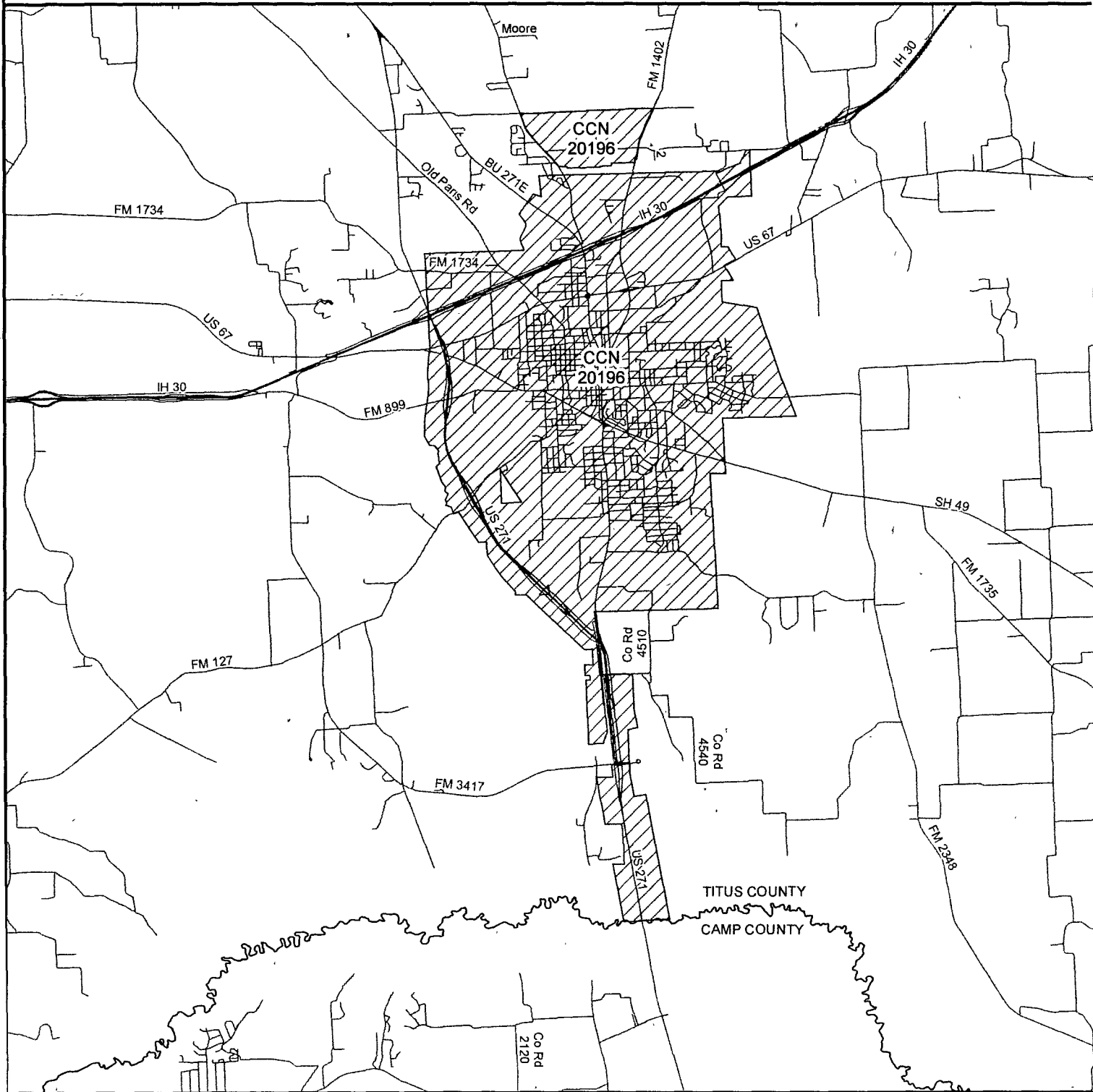
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, TRI Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 10402


to provide continuous and adequate water utility service to that service area or those service areas in Camp, Franklin, Morris, and Titus, Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 44950 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of TRI Special Utility District to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the 16th day of September 2016.

City of Mount Pleasant
Sewer Service Area
CCN No. 20196
PUC Docket No. 44950
Amended CCN No. 20196 in Titus County



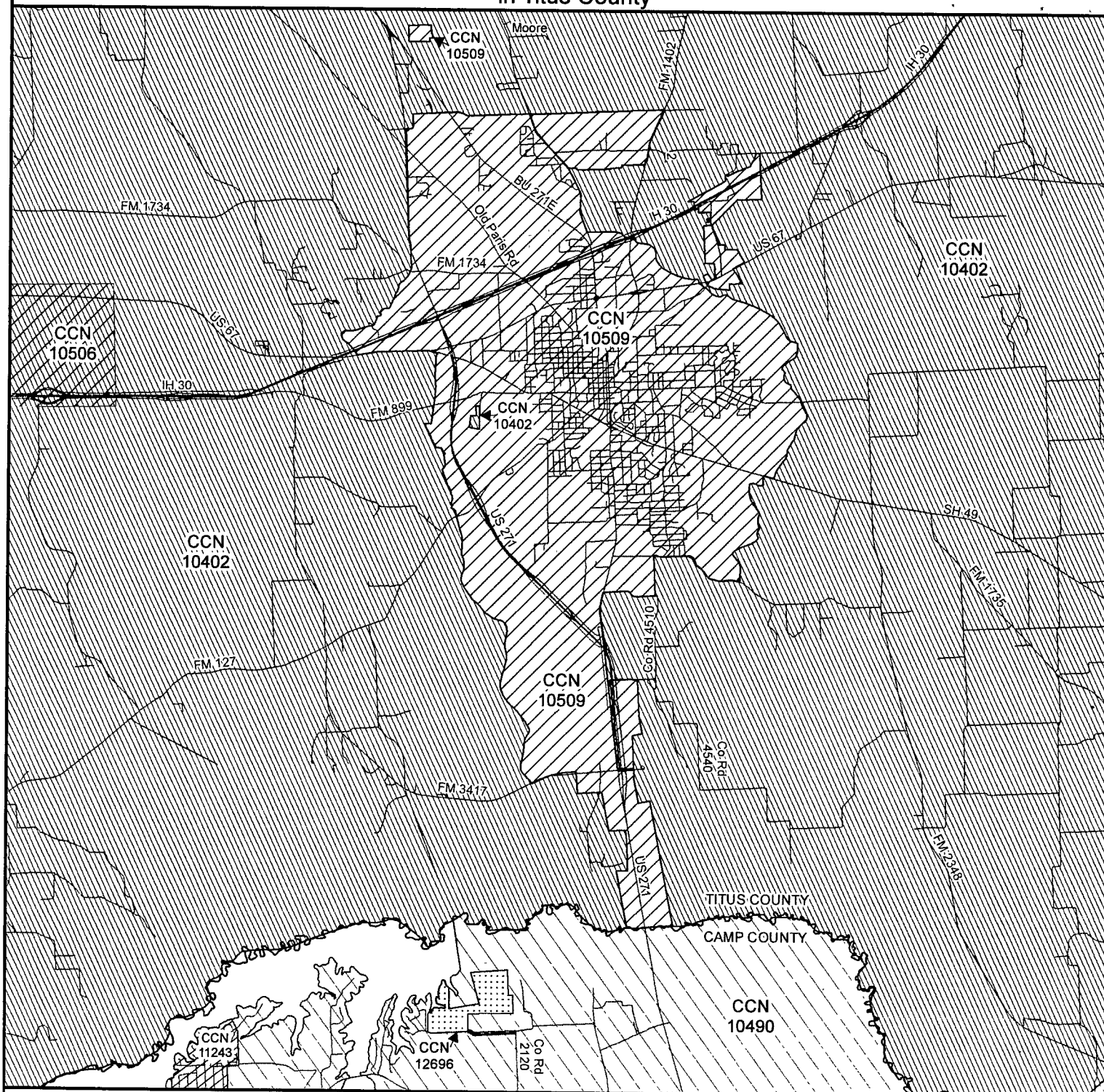
Sewer CCN Service Area

 20196 - City of Mount Pleasant







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City of Mount Pleasant
Water Service Area
CCN No. 10509
PUC Docket No. 44950
Amended CCN No. 10509 and Decertified a Portion of TRI Special Utility District, CCN No. 10402
in Titus County



Water CCN Service Areas

- | | | | |
|---|--------------------------------------|--|--|
|  | 10509 - City of Mount Pleasant |  | 11243 - Thunderbird Bay Water Services |
|  | 10402 - TRI SUD |  | 10506 - City of Windfield |
|  | 10490 - BI County WSC | | |
|  | 12696 - Alpha Utility of Camp County | | |

Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Map by: Komal Patel
Date created: July 8, 2016
Project Path: n:\finalmapping\44950\CityofMtPleasant\Water.mxd