

Control Number: 44950



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PROJECT NO. 44950

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

PUBLIC UTILITY COMMISSION

2015 AUG 17 AM 10:19
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION ON
SUFFICIENCY OF APPLICATION**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Recommendation on Sufficiency of Application, and would show the following:

I. BACKGROUND

On July 16, 2015, City of Mount Pleasant (Mount Pleasant) filed with the Commission an application to amend its water and sewer certificates of convenience and necessity (CCN) Nos. 10509 and 20196 in Titus County, Texas. The total area being requested includes approximately 2,222.26 acres and 47 current customers. Notice of the application appeared in the August 7, 2015 issue of the *Texas Register*.

In Order No. 1, issued July 22, 2015, Staff was given a deadline of August 17, 2015 to file a recommendation on the administrative completeness of the application, the proposed notice and to file a procedural schedule. This pleading is therefore timely filed.

II. RECOMMENDATION

Staff has reviewed the application and, as supported by the attached memorandum of Fred Bednarski and Tracy Harbour of the Water Utilities Division, recommends the application be found deficient. Staff recommends that Mount Pleasant be ordered to correct and supplement its mapping, application, and technical content as described in the attached memorandum. This additional information is required before a recommendation on the proposed notice can be made.

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III. PROCEDURAL SCHEDULE

Staff recommends that the Commission issue an order adopting the following procedural schedule:

Deadline for Mount Pleasant to amend its application in order to cure the deficiencies identified by Staff	September 17, 2015
Deadline for Staff to file a supplemental recommendation on the amended application	October 16, 2015

IV. CONCLUSION

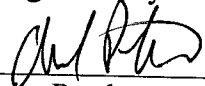
Staff respectfully requests the entry of an order consistent with the above recommendation.

Dated: August 17, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director - Legal Division

Karen S. Hubbard
Managing Attorney - Legal Division



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PROJECT NO. 44950

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record August 17, 2015, in accordance with 16 Texas Admin. Code § 22.74.

A handwritten signature in black ink, appearing to read 'Alex Petak', is written over a horizontal line.

Alexander Petak

PUC Interoffice Memorandum

To: Alexander Petak
Legal Division

Thru: Lisa Fuentes, Team Leader
Water Utilities Division

From: Fred Bednarski, Financial & Managerial Review Specialist
Tracy Harbour, GIS Specialist
Water Utilities Division

Date: August 17, 2015

Subject: **Docket No. 44950;** *Application of City of Mount Pleasant to amend its Water and Sewer Certificate of Convenience and Necessity (CCN) Nos. for TRI Special Utility District (SUD) to decertify a portion of their Water CCN No. 10402 held in Titus County.*

The City of Mount Pleasant (Applicant) filed an application to amend its Water and Sewer Certificate of Convenience and Necessity (CCN) Nos. 10509 and 20196 and TRI SUD to decertify a portion of their Water CCN No 10402 held in Titus County. The application was reviewed pursuant to 16 Tex. Admin. Code §§ 24.8 and 24.102-24.106 (TAC) and Tex. Water Code § 13.246(c) (TWC).

The purpose of the application is for the Applicant to add uncertificated water and sewer service area to their CCN boundaries and to decertify a portion of water service area of TRI SUD.

Based upon staff's review of the information in the application, the application is deficient in mapping and application content. In order to continue processing the application, we recommend the Applicant provide the requested information within 30 days from the date of the Commission order.

Mapping Content

Portions of the proposed water and sewer service areas requested in this application include service areas already certificated to the Applicant. The Applicant should use the PUC's official CCN data to verify their existing water and sewer certificated areas. The Applicant must submit revised small and large scale maps and digital data for the proposed water and sewer service areas that do not include the area the Applicant is already certificated to. The Applicant should be ordered to provide the following:

1. Revised small scale (general location) maps for both the proposed water and sewer service areas only delineating proposed service areas with enough detail to accurately locate the service areas in the vicinity of the nearest city, town or county.
 - One small scale map showing the entire proposed water service areas; and
 - One small scale map showing the entire proposed sewer service areas.

2. Revised large scale (detail) maps only delineating the proposed water and sewer service areas with enough detail to accurately locate the proposed service areas in the vicinity of surrounding roads, streets and highways.
 - Clearly label the proposed service areas to be amended to the City of Mount Pleasant's water and sewer CCN as either the "proposed water," "proposed sewer," or "water CCN to transfer" from Tri County SUD's to the City of Mount Pleasant.
 - Clearly mark the proposed water and sewer service areas with the same colored outer boundary. Do not show city limit boundaries on any maps.
3. 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.
 - The proposed digital data must include the projection or coordinate system used to create the digital data.
 - If submitting an AutoCAD drawing (DWG) formatted file, include the coordinate system in a text file or add to the label on the CD.
 - If submitting a SHP formatted file, include the projection (PRJ) file.
 - Submit two CD's labeled with the utility name and docket number assigned.
 - Label the polygons or polylines as either "proposed water," "proposed sewer," or "water CCN to transfer" from Tri County SUD's to the City of Mount Pleasant.
 - Submit the updated acreage for the entire proposed water and sewer service areas, after the removal of service areas already certificated to the City of Mount Pleasant.

Application Content

The application did not include the required information listed below. The Applicant should be ordered to provide the following:

4. The Signed agreement between the City of Mount Pleasant and TRI SUD.
5. A detailed map indicating the location of existing customers in the proposed, uncertificated service areas.

Technical Review

The following information will be necessary for the Staff's technical review. The Applicant should be ordered to provide the following:

6. Approval documentation, such as board meeting minutes, from TRI SUD agreeing to the decertification.
7. Documentation indicating the City of Mount Pleasant has the capacity to serve the additional 47 customers.
8. Documentation regarding the status of the outstanding Texas Commission on Environmental Quality (TCEQ) water system violations.
9. Documentation regarding how the wastewater plant parameter exceedances will be resolved with TCEQ.
10. Missing pages of the financial report submitted (odd numbered pages)
11. 5 year projected financial statements or an approved budget.