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**DOCKET NO. 44950**

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

**PUBLIC UTILITY COMMISSION** 2015 AUG 21 AM 9:52  
**OF TEXAS** PUBLIC UTILITY COMMISSION  
FILING CLERK

**ORDER NO. 2  
FINDING APPLICATION INCOMPLETE AND DEFICIENT,  
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

**I. Background**

On July 16, 2015, City of Mount Pleasant filed with the Public Utility Commission of Texas (Commission) an application to amend its water and sewer certificates of convenience in Titus County. Order No. 1 required Commission Staff to file comments on the administrative completeness of the application and proposed notice.

**II. Staff Recommendation on Administrative Completeness of the Application**

On August 17, 2015, Commission Staff filed a response to Order No. 1. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies as specifically described in Commission Staff's August 17, 2015 filing and the attached memorandum of Fred Bednarski and Tracy Harbour of the Commission's Water Utility Regulation Division. Pursuant to 16 Tex. Admin. Code § 24.8(a), applications are not considered filed until a determination of administrative completeness is made, thus at this time the application is not considered filed with the Commission.

In addition, Commission Staff recommended that the Applicant should not publish notice of the application until these discrepancies are corrected and approved by Staff.

**III. Proposed Procedural Schedule**

Commission Staff proposes that Applicant be given time to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional comments regarding completeness of the amended application, along with a proposed procedural schedule once the application is administratively complete.

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**IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure**

Consistent with Commission Staff's recommendation, the application is found administratively incomplete and deficient. On or before **September 17, 2015**, Applicant shall amend its application to cure the deficiencies noted by Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **October 16, 2015**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of the amended application and notice along with a proposed procedural schedule, if appropriate.

SIGNED AT AUSTIN, TEXAS on the 21<sup>st</sup> day of August 2015.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
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**STEPHANIE FRAZZELL**  
**ADMINISTRATIVE LAW JUDGE**