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APPLICATION OF TWIN LAKES	§	PUBLIC UTILITY COMMISSION
WATER SUPPLY FOR A	§	
CERTIFICATE OF CONVENIENCE	§	OF
AND NECESSITY IN TARRANT	§	
COUNTY	§	TEXAS

COMMISSION STAFF'S RESPONSE TO ORDER NO. 1 AND PROPOSED PROCEDURAL SCHEDULE

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files this Response to Order No. 1 and Proposed Procedural Schedule. In support of its Response, Staff states the following:

I. BACKGROUND

On July 22, 2015, Twin Lakes Water Supply (Twin Lakes) filed with the Public Utility Commission of Texas (Commission) an application to obtain a new water certificate of convenience and necessity.[1] Twin Lakes is currently providing utility service to people who already live in the proposed area.[2] Twin Lakes has been providing service for nine years.[3] Twin Lakes already has constructed a system to serve the area with a TCEQ Public Water System with identification number 2200190.[4] Twin Lakes has 38 existing customers and proposes to serve 52.[5] Twin Lakes also included an undated Exempt Utility Tariff Form with its application.[6]

II. APPLICABLE STATUTES

Staff has identified Texas Water Code (TWC) §§ 13.241, 13.242, 13.244, and 13.246 as the statutes that apply to the application. TWC § 13.241 describes the general requirements for obtaining a water CCN. TWC § 13.242 addresses the situations in which a utility is required to

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[1] *Application of Twin Lakes Water Supply for a Certificate of Convenience and Necessity* at 2

[2] *Id.* at 3

[3] *Id.* at 4

[4] *Id.* at 6

[5] *Id.* at 7

[6] *Id.* at 69

have a CCN. TWC § 13.244 addresses the requirements for Applications for CCNs, including the mapping requirements in TWC § 13.244(d). Texas Admin. Code § 24.106 implements the statutory requirements.

II. STAFF'S COMMENTS ON ADMINISTRATIVE COMPLETENESS AND NOTICE

As described in the attached memorandum of Heidi Graham and Tracy Montes of the Water Utilities Division (Memorandum), Staff recommends that the application be found materially deficient and administratively incomplete for the reasons stated therein. In particular the application only included hand drawn maps that do not clearly delineate the areas at issue in the application. Therefore, Staff is unable to determine the accurate location of the proposed water service area.

III. PROPOSED PROCEDURAL SCHEDULE

In order to cure the deficiencies described in the Memorandum, Staff proposes the following procedural schedule:

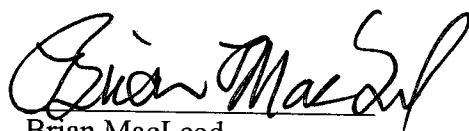|	
Deadline for Twin Lakes to file supplemental materials to cure the deficiencies identified by Staff.	**September 21, 2015**
Deadline for Staff to file a recommendation on the revised application and propose a procedural schedule, if necessary.	**October 21, 2015**

IV. CONCLUSION

Staff respectfully requests that an order be issued reflecting this Response.

Date: August 20, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division
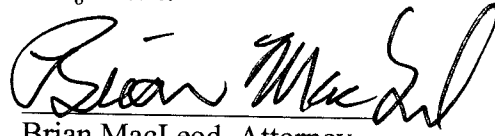
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DOCKET NO. 44963

CERTIFICATE OF SERVICE

I certify that a copy of this document was served his document was served on all parties of record on August 20, 2015, in accordance with 16 TAC § 22.74.

Brian MacLeod, Attorney

PUC Interoffice Memorandum

To: Doug Brown
                Legal Division

Thru: Tammy Benter, Director
                Water Utilities Division

From: Heidi Graham, Staff Engineer
                Tracy Montes, GIS Specialist
                Water Utilities Division

Date: August 18, 2015

Subject: Docket No. 44963, *Application of Twin Lakes Water Supply, to Obtain a Water Certificate of Convenience and Necessity (CCN) in Tarrant County, Texas*

On July 22, 2015, Twin Lakes Water Supply, (Applicant) filed an application to obtain a water CCN in Tarrant County, pursuant to the criteria in the Texas Water Code §§ 13.241, 13.242, 13.244, 13.246 (TWC) and 16 Tex. Admin. Code §§ 24.8, 24.101, 24.102, 24.105-.107 (TAC).

Staff has reviewed the application and mapping information provided by the Applicant and has found it to be administratively incomplete. The Applicant submitted hand drawn maps showing the proposed water service area as both a bounded service area (polygon) and as facility lines. The current exempt utility for Twin Lakes Water Supply has a service area including facility lines plus two hundred feet. Staff is uncertain whether the Applicant is seeking to change the water service area from facilities plus two hundred feet to a bounded service area. Therefore, Staff is unable to determine the accurate location of the proposed water service area requested with this application. Staff recommends that the application be deemed insufficient for filing.

The Applicant must submit the following to resolve the mapping deficiencies:
1. A general location (small scale) map <u>only</u> showing the proposed water service area with enough detail to accurately locate the service area or facility lines within the nearest city, town or county.
2. A large scale (detail) map <u>only</u> showing the proposed water service area with enough detail to accurately locate the service area or facility lines in the vicinity of surrounding roads, streets, and highways.
3. Submit digital data for the proposed water service area including projection or coordinate system information used to create the file.
4. If submitting an AutoCAD drawing (DWG) file of the proposed service area, please include a text (TXT) file. The digital data should be in a single continuous polyline or polygon record, clearly labeled as the proposed area.
5. If submitting a shape file (SHP), please include the projection (PRJ) file. The digital data should be in a single record that is clearly labeled in the digital file.
6. Please label the data disk (CD) with the utility name and the docket number assigned to the application.

7. Submit a complete list of neighboring entities who must receive notice including any districts, groundwater conservation districts, utilities, cities and their extraterritorial jurisdiction located within a 2-mile buffer of the proposed water service area. The Applicant must also provide a list of the county and groundwater conservation districts that the proposed area falls within.