



Control Number: 45001



Item Number: 8

Addendum StartPage: 0

DOCKET NO. 45001

**APPLICATION OF RANCH
COUNTRY OF TEXAS, INC. TO
AMEND A WATER CERTIFICATE
OF CONVENIENCE AND NECESSITY
IN AUSTIN COUNTY**

§
§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2015-5 AM 9:20
FILINGS CLERK

COMMISSION STAFF'S RESPONSE TO ORDER NO. 2

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission) representing the public interest and files this Response to Order No. 2.

I. Background

On August 3, 2014, Ranch Country of Texas, Inc. (Ranch Country) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12918 in Austin County (Application).

On September 4, 2015, the Administrative Law Judge (ALJ) issued Order No. 2 finding the Application administratively incomplete and deficient. On October 2 and October 9, 2015, Ranch Country filed supplemental information and mapping. Order No. 2 also required Staff to file additional comments regarding administrative completeness along with a proposed schedule by November 5, 2015. Therefore, this Response is timely filed.

II. Staff's Comments on Administrative Completeness and Notice

As detailed in the attached memorandum of Patricia Garcia and Tracy Montes, in the Commission's Water Utilities Division, Staff has reviewed the Application and recommends that the Application be found administratively incomplete pursuant to 16 Tex. Admin. Code § 24.105 (TAC).

Staff identified deficiencies in the mapping requirements submitted by Ranch Country. Specifically, Ranch Country failed to provide the coordinate system and datum used to create the drawing (.dwg) formatted file. Without this information Staff is unable to use the digital data provided by Ranch Country. The .dwg file also appears to include both records for the proposed service area and base map layers. This file should not include both base map layers and the proposed service area. Staff is unable to evaluate whether or not the proposed service area requested corresponds to the proposed service area location provided on hard copy maps and

8

digital data. Therefore, Staff recommends Ranch Country cure the identified mapping deficiencies by revising the digital data including the coordinate system and datum used to create the file. Staff also recommends the .dwg file for the proposed area be provided in a single continuous polyline or polygon record and clearly labeled as the proposed area.

Pursuant to 16 TAC § 24.8(a), the application is not considered filed until the Commission determines that the application, mapping requirements and proposed notice are administratively complete. Staff has identified deficiencies in the mapping requirements and, therefore, recommends that the Application be deemed administratively incomplete pursuant to 16 TAC § 24.105.

III. Proposed Procedural Schedule

Due to the deficiencies in the Application, Staff does not recommend a procedural schedule for the evaluation of the merits of the Application at this time. Staff recommends that Ranch Country be given until **December 7, 2015** to cure deficiencies identified by Staff. Staff proposes a deadline of **January 12, 2015** for Staff to file additional comments regarding administrative completeness, along with a proposed procedural schedule if deemed administratively complete.

IV. Conclusion

Staff respectfully requests the entry of an order consistent with this Response.

Dated: November 5, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Karen S. Hubbard
Managing Attorney
Legal Division



Jessica L. Morgan
Attorney-Legal Division
State Bar No. 24079023
(512) 936-7229
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

DOCKET NO. 45001

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this November 5, 2015 in accordance with 16 TAC § 22.74.



Jessica L. Morgan

PUC Interoffice Memorandum

To: Jessica Morgan
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Team Lead
Water Utilities Division

From: Patricia Garcia, Staff Engineer
Tracy Montes, GIS Specialist
Water Utilities Division

Date: November 2, 2015

Subject: **Docket 45001**, *Application of Ranch Country of Texas, Inc. to Amend a Certificate of Convenience and Necessity (CCN) in Austin County*

On August 3, 2015, Ranch Country of Texas, Inc. (Ranch Country) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12918 in Austin County, Texas, pursuant to Texas Water Code Ann. (TWC), §§ 13.242 to 13.250 and the 16 Tex. Admin Code (TAC) §§24.101 to 24.107.

On October 2, 2015, the Applicant submitted revised hard copy maps and digital data in response to Commission Order No. 2. Staff has reviewed the information provided and finds it deficient. Therefore, Staff recommends the application be deemed insufficient for filing and administratively incomplete.

Mapping

The Applicant did not provide the coordinate system and datum used to create the drawing (.dwg) formatted file. Staff is unable to use the digital data since the data does not include a known coordinate system. It appears the .dwg file includes numerous records for the proposed service area and the base map layers. The .dwg file should not include both the base map layers and the proposed service area. Therefore, Staff is unable to evaluate whether or not the proposed service area requested in this application, corresponds to the same location as provided on hard copy maps and the digital data.

The Applicant must submit the following items to resolve the mapping deficiencies:

1. Revised digital data for the proposed water service area including the coordinate system and datum used to create the drawing (.dwg) file.
 - a. The .dwg file for the proposed service area should be provided in a single continuous polyline or polygon record, clearly labeled as the proposed area.
2. Seven copies of the digital data on a data disk (CD). Each CD should be labeled with the utility name and the docket number.