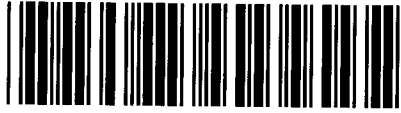




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DOCKET NO. 45180

RECEIVED

APPLICATION OF THE CITY OF §
AUSTIN TO AMEND ITS SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY AND ADD AREA §
TO AQUA WATER SUPPLY §
CORPORATION D/B/A AQUA WSC'S §
SEWER CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
IN TRAVIS COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

2016 MAR 8 PM 3:28
PUBLIC UTILITY COMMISSION
FILING CLERK

ORDER NO. 5

**FINDING APPLICATION CONTINUES TO BE INCOMPLETE AND DEFICIENT;
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

This Order addresses Commission Staff's supplemental recommendation regarding administrative completeness of the City of Austin's application in this case. Commission Staff continues to recommend that the application be found administratively incomplete because it contains material deficiencies, as specifically described in the pleading and attached memorandum of Elisabeth English and Tracy Montes of the Commission's Water Utility Regulation Division. Applications are not considered filed until a determination of administrative completeness is made pursuant to 16 Texas Administrative Code § 24.8(a) (TAC); thus, Austin's application is not considered filed with the Commission. Austin should not publish notice of the application until the identified discrepancies are corrected and approved by Commission Staff.

Commission Staff proposes that Austin be required to supplement the application and address the continuing deficiencies. Commission Staff proposes to file additional comments regarding completeness of the supplemented application and to propose a procedural schedule once the application is found administratively complete.

Consistent with Commission Staff's recommendation, Austin's application remains administratively incomplete and deficient. On or before **April 4, 2016**, Austin shall supplement the application to cure the additional deficiencies described by Commission Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **May 4, 2016**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of this proceeding, comments/recommendation regarding how this application should be processed, and a proposed procedural schedule if appropriate.

SIGNED AT AUSTIN, TEXAS the 8th day of March 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE

W2013

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