



Control Number: 45180



Item Number: 9

Addendum StartPage: 0

DOCKET NO. 45180

RECEIVED
2015 DEC 16 PM 1:19
PUBLIC UTILITY COMMISSION
FILING CLERK

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

**PUBLIC UTILITY COMMISSION
OF TEXAS**

ORDER NO. 3

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

I. Application

On September 21, 2015, the City of Austin (Austin) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer certificate of convenience (CCN) No. 20636 to remove a portion of area and add same to Aqua Water Supply Corporation's d/b/a Aqua WSC's sewer CCN No. 20962 in Travis County. On November 23, 2015, Austin filed an amendment to its application to address the deficiencies described by Commission Staff.

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

On December 15, 2015, Commission Staff recommended that the application, as amended, remains 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. 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, as amended, is not considered filed with the Commission. Austin should not publish notice of the application until these discrepancies are corrected and approved by Commission Staff.

III. Proposed Procedural Schedule

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

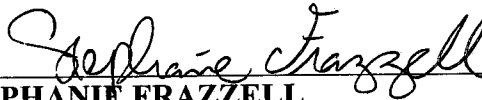
IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure

Consistent with Commission Staff's recommendation, Austin's application, as amended, remains administratively incomplete and deficient. On or before **January 22, 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 **February 19, 2016**, Commission Staff shall file a supplemental recommendation regarding administrative completeness of this proceeding, as well as comments/recommendation regarding how this application should be processed along with a proposed procedural schedule.

SIGNED AT AUSTIN, TEXAS the 16th day of December 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE