



Control Number: 45208



Item Number: 17

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DOCKET NO. 45208

RECEIVED

JOINT APPLICATION TO AMEND §  
CITY OF EDINBURG'S WATER §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY AND TO §  
DECERTIFY A PORTION OF NORTH §  
ALAMO WATER SUPPLY §  
CORPORATION'S CERTIFICATE IN §  
HIDALGO COUNTY §

PUBLIC UTILITY COMMISSION

2016 APR 12 PM 2:00  
PUBLIC UTILITY COMMISSION  
FILING CLERK

OF

TEXAS

### COMMISSION STAFF'S RECOMMENDATION SUFFICIENCY

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Sufficiency. In Support thereof, Staff shows the following:

#### I. BACKGROUND

On September 30, 2015, the City of Edinburg (Edinburg) and North Alamo Water Supply Corporation (North Alamo WSC) (collectively, Applicants) filed with the Public Utility Commission of Texas (Commission) a joint application (Application) to amend Edinburg's water certificate of convenience (CCN) No. 12106 and to decertify a portion of North Alamo WSC's water CCN No. 10553 in Hidalgo County. The amendment will enable Edinburg to include approximately 40 acres of land and zero current customers.

Order No. 5 instructed Staff to file a supplemental recommendation by April 12, 2016.

#### II. RECOMMENDATION

As detailed in the attached memorandum (Attachment A) of Sean Scaff and Kristy Nguyen of the Water Utilities Division, Staff recommends that the Application be deemed insufficient for filing and that the Applicants be allowed time to cure the noted deficiencies. Staff specifically provides information on how the Applicants may cure mapping deficiencies.

### **III. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes that the Applicants be allowed until May 12, 2016 to cure the deficiencies detailed in Attachment A, and that Staff be allowed until June 12, 2016 to make a supplemental recommendation.

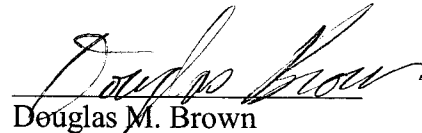
### **IV. CONCLUSION**

Staff respectfully requests the entry of an order consistent with the above recommendations.

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

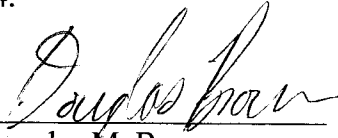
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**DOCKET NO. 45208**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on April 12, 2016 in accordance with 16 Tex. Admin. Code § 22.74.

  
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Douglas M. Brown

# **ATTACHMENT A**

**Public Utility Commission of Texas**

**Memorandum**

**TO:** Doug Brown, Attorney  
Legal Division

**FROM:** Sean Scaff, Engineering Specialist  
Kristy Nguyen, GIS Specialist  
Water Utilities Division

**THRU:** Tammy Benter, Director  
Water Utilities Division

**DATE:** April 11, 2016

**RE:** **Docket No. 45208:** *Application of the City of Edinburg to Amend Its Certificate of Convenience and Necessity (CCN) No. 12106 and to Decertify a Portion of North Alamo WSC's water CCN No. 10553 in Hidalgo County, Texas*

On September 30, 2015, the City of Edinburg (City), and North Alamo Water Supply Corporation (North Alamo WSC) (collectively, Applicants) filed a joint application to amend Edinburg's water CCN No. 12106 and to decertify a portion of North Alamo WSC's water CCN No. 10553 in Hidalgo County. The application is being reviewed pursuant to Texas Water Code (TWC) §§ 13.242-250 and §§ 13.255, and 16 Tex. Admin. Code (TAC) §§ 24.101-24.107 in particular §§ 24.103(c), 105(d) (TAC). Order No. 1 requested Staff review the proposed CCN application and proposed notices for administrative completeness by October 29, 2015.

Staff has reviewed the above referenced application and found that it is deficient in the required application and mapping information; therefore, I recommend that the application be found administratively incomplete.

The Applicant's revised digital data does not match the same total acreage filed by the applicant on March 10, 2016. The revised digital data provided still includes a portion already certificated to the City of Edinburg. The small scale map must not display any of the service area already certificated to the Applicant. Further, I recommend the Applicant address the mapping deficiencies:

1. A revised small scale (general location) map only showing the location of the proposed service area in the vicinity of the nearest town, city, or county.
2. Revised digital data only including the proposed service area in a shapefile (SHP) format on a data disk (CD). The proposed service area must include the same total acreage requested in the application and stated in notice documents.
3. The revised digital data for the proposed service area includes approximately 46 acres, however, the Applicant states the proposed service area only includes 40 acres. The Applicant should clarify why there is a difference in acreage. If the proposed acreage is reduced from 46 acres to 40, the Applicant must file a revised large scale map.
4. A complete list of all utilities, districts and municipalities located within a 2-mile buffer of the proposed water service area. The list should also include the groundwater conservation

districts and counties located within the requested proposed water service area requested with the application.