



Control Number: 45208



Item Number: 5

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DOCKET NO. 45208

**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
2015 NOV 15 PM 2:11
PUBLIC UTILITY COMMISSION
FILING CLERK
OF
TEXAS

COMMISSION STAFF'S RECOMMENDATION ON PROCESS AND SUFFICIENCY

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Process and 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. 1 instructed Staff to file a recommendation on how the Application should be processed and whether or not the Application is sufficient for filing.

II. RECOMMENDATION ON PROCESS AND SUFFICIENCY

Staff recommends the Application be processed pursuant to Tex. Water Code §§ 13.241-250 regarding the CCN amendment portion of the Application and TWC § 13.255 regarding the decertification portion of the Application.

Additionally, 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

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insufficient for filing and that 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 December 8, 2015 to cure the deficiencies detailed in Attachment A, and that Staff be allowed until January 8, 2015 to make a supplemental recommendation.

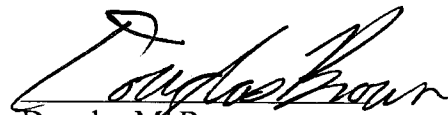
IV. CONCLUSION

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

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

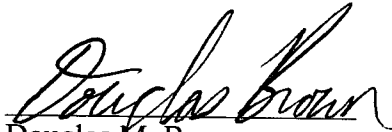
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DOCKET NO. 45208
CERTIFICATE OF SERVICE

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


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: November 4, 2015

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 Tex. Water Code §§ 13.241-250 and 13.255 (TWC) and 16 Tex. Admin. Code §§ 24.101-24.107 (TAC), in particular 16 TAC §§ 24.103(c), and 24.105(d). Order No. 1 requested Staff review the proposed CCN application for administrative completeness.

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

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

1. Submit a small scale (general location) map only showing the location of the proposed service area in the vicinity of the nearest town, city, or county. Clearly mark and label the proposed service area in reference to the current corporate boundaries of Edinburg, verifiable man-made and natural landmarks such as roads, railroads or rivers.
2. Submit a large scale map showing the proposed service area with enough detail to accurately locate the service area subject to be transferred in the vicinity of nearby roads, streets, and rivers. Clearly mark and label the proposed service area in reference to the current corporate boundaries of Edinburg, verifiable man-made and natural landmarks such as roads, railroads or rivers.

Further, Staff recommends the Applicant provide the following:

Documentation from the USDA showing that they have approved the transfer of from North Alamo WSC to the City, as the USDA currently holds a lien against North Alamo WSC's property.