



Control Number: 45266



Item Number: 8

Addendum StartPage: 0

DOCKET NO. 45266

RECEIVED

APPLICATION OF HOUSE HAHL  
COMMERCIAL OWNERS ASSOCIATION  
FOR EXEMPT UTILITY  
REGISTRATION

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§

PUBLIC UTILITY COMMISSION

OF TEXAS

2016 JAN 20 AM 11:04  
PUBLIC UTILITY COMMISSION  
FILING CLERK

## COMMISSION STAFF'S SECOND RECOMMENDATION ON SUFFICIENCY

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Response to Order No. 3, Second Recommendation on Sufficiency. In support thereof, Staff shows the following:

### I. BACKGROUND

On October 16, 2015, House Hahl Commercial Owners Association (House Hahl) filed an application for exempt utility registration pursuant to Tex. Water Code § 13.242(c) (TWC) and 16 Tex. Admin. Code § 24.103(d) (TAC).

Order No. 3, issued November 24, 2015, directed House Hahl to amend its application by December 18, 2015 and directed Staff to file a supplemental recommendation by January 20, 2016. House Hahl filed an amended application on December 18, 2015. This pleading is timely filed.

### II. RECOMMENDATION

Staff has reviewed House Hahl's amended application, and as supported by the attached memorandum of Heidi Graham and Tracy Montes of the Water Utilities Division, Staff recommends that the application remains deficient. The road distances and right-of-way distances shown survey plat map provided by House Hahl do not measure the same distances as other roadway base maps. As a result, Staff is still unable to accurately position the metes and bounds submitted for the proposed service area.

In order to correct the identified deficiencies, Staff recommends that House Hahl provide a detailed large scale map showing only the proposed service area. Staff requests that House Hahl be given until February 24, 2016 to cure these deficiencies in its application, and that Staff be given until March 23, 2016 to file a supplemental recommendation.

8


### III. CONCLUSION

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

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division


Karen S. Hubbard  
Managing Attorney  
Legal Division



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### DOCKET NO. 45266 CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record January 20, 2016, in accordance with 16 TAC § 22.74.

  
Erika Garcia

## PUC Interoffice Memorandum

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**To:** Erika Garcia, Attorney  
Legal Division

**From:** Heidi Graham, Engineer  
Tracy Montes, GIS Specialist  
Water Utilities Division

**Thru:** Tammy Benter, Director  
Lisa Fuentes, Work Leader  
Water Utility Regulation Division

**Date:** January 14, 2016

**Subject:** Docket No. 45266, *Application of House Hahl Commercial Owners Association for Exempt Utility Registration*

On October 16, 2015, House Hahl Commercial Association (Applicant or House Hahl), filed an application for exempt utility registration pursuant to 16 TAC § 24.103(d) for a utility or water supply corporation with less than 15 potential connections. The Applicant asserts that there is one (1) active water connection and the potential for eleven (11) future connections. The development encompasses approximately 45 acres.

Based on a review of the information in the additional mapping information filed on December 18, 2015, the Applicant has not satisfied the mapping requirements of 16 TAC § 24.103(d)(1). Staff recommends the application be deemed insufficient for filing due to the mapping deficiencies.

The Applicant's survey plat map filed on December 18, 2015, is certified by a professional land surveyor for the proposed property including approximately 45 acres. Although the road distances and right-of-way (ROW) distances are provided on the survey plat map, Staff is unable to accurately position the metes and bounds description. When comparing the road distances and the ROW distances shown on the survey plat map to other roadway base maps, the road widths and ROW's do not measure the same distances. Therefore, we need a large scale map that zooms in closer to the proposed service area. The outer boundary of the proposed service area on the large scale map must be clearly marked and must correspond to the same boundary as shown on the survey plat map.

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

A large scale (detailed) map only showing the proposed service area with enough detail to accurately locate the service area in vicinity of surrounding roads, streets and highways.