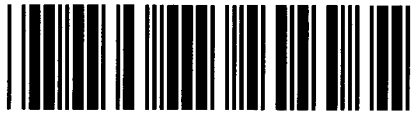


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DOCKET NO. 45369

**APPLICATION OF CITY OF
COTTONWOOD SHORES TO AMEND
ITS CERTIFICATES OF CONVENIENCE
AND NECESSITY IN BURNET COUNTY** §
§
§
§

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**COMMISSION STAFF'S RESPONSE TO ORDER NO. 1
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. 1, Recommendation on Sufficiency and would show the following:

I. BACKGROUND

On November 20, 2015, the City of Cottonwood Shores (Cottonwood Shores) filed an application to amend its water certificate of convenience and necessity (CCN) No. 13185 and sewer CCN No. 21051 in Burnet County. Cottonwood Shores seeks to amend its CCNs to provide water and sewer services to an area east of the city limits.

In Order No. 1, issued December 2, 2015, Staff was given a deadline of December 21, 2015 to file comments on the administrative completeness of the application and notice, and propose a procedural schedule. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

Staff has reviewed Cottonwood Shore's application and, as supported by the attached memorandum of Andrew Novak and Kristy Nguyen of the Water Utilities Division, Staff recommends that the application is administratively incomplete. Cottonwood Shores did not provide a small scale or large scale map with its application. Further, it appears that the requested area is within the Lower Colorado River Authority's (LCRA) water district.

In order to cure the identified deficiencies, Staff recommends that Cottonwood Shores provide a small scale and large scale map delineating only the proposed services areas. Additionally, Staff recommends that Cottonwood Shores provide evidence of consent to add the additional area from LCRA.

Staff requests that Cottonwood Shores be given until January 22, 2016 to cure these deficiencies in its application, and that Staff be given until February 19, 2016 to file a supplemental recommendation.

III. PROPOSED PROCEDURAL SCHEDULE

Staff recommends that the application be found not administratively complete due to deficiencies in the mapping and application information supplied by Cottonwood Shores. Accordingly, Staff has not proposed a procedural schedule at this time.

IV. 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



Erika Garcia
Attorney-Legal Division
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Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

DOCKET NO. 45369 CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record December 21, 2015 in accordance with 16 TAC § 22.74.



Erika Garcia

PUC Interoffice Memorandum

To: Erika Garcia, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Work Leader
Water Utilities Division

From: Andrew Novak, Financial Analyst
Kristy Nguyen, GIS Specialist
Water Utilities Division

Date: December 14, 2015

Subject: **Docket No. 45369**, *Application of City of Cottonwood Shores to Amend its Certificates of Convenience and Necessity in Burnet County.*

On November 20, 2015, the City of Cottonwood Shores (Cottonwood Shores) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 13185 and sewer CCN No. 21051 in Burnet County. Cottonwood Shores seeks to amend its CCNs to provide water and sewer services to an area east of the city limits. This application is being reviewed pursuant to 16 Tex. Admin. Code § 24.8(a) (TAC).

Staff has reviewed the application and recommends the application be deemed administratively incomplete and insufficient for filing. Staff is unable to determine the location of the proposed service area as Cottonwood Shores did not provide a small scale or large scale map with its application. Further, it appears that the additional area being requested in the application is within Lower Colorado River Authority's water district.

Staff recommends Cottonwood Shores be ordered to do the following to address the identified deficiencies:

1. Submit a small scale (general location) map showing only the location of the proposed service area(s) in the vicinity of the nearest town, city, or county;
2. Provide a large scale (detailed) map delineating only the proposed service area(s) with enough detail to accurately locate the proposed service area(s) in the vicinity of surrounding roads, streets, highways, and natural landmarks;
3. Obtain consent to add area from the Lower Colorado River Authority.