

Control Number: 45489



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PUC DOCKET NO. 45489
SOAH DOCKET NO. 473-18-4178.WS

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PUBLIC UTILITY COMMISSION
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FILING CLERK

APPLICATION OF CITY OF GREGORY
TO OBTAIN CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
SAN PATRICIO COUNTY

§
§
§
§

OF TEXAS

JOINT RESPONSE TO ORDER NO. 22 AND MOTION TO ADMIT EVIDENCE

COME NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and the City of Gregory (Gregory) and file this Joint Response to Order No. 22 and Motion to Admit Evidence in response to Order No. 22, and would show the following:

I. BACKGROUND

On December 31, 2015, Gregory filed an application with the Public Utility Commission of Texas (Commission) to obtain new water and sewer certificates of convenience and necessity (CCN) in San Patricio County, Texas. On November 30, 2018, the State Office of Administrative Hearings (SOAH) Administrative Law Judge issued SOAH Order No. 7, remanding this case to the Commission and dismissing it from SOAH's docket. The Commission considered this matter at its March 13, 2019, open meeting and remanded this docket to the Office of Policy and Docket Management with instructions that additional information be filed.

On March 19, 2019, Order No. 22 was issued, directing Gregory to file additional information and establishing a deadline of April 30, 2019, for the parties to jointly advise whether this matter is ready for return to the Commission for its consideration. This pleading is therefore timely filed.

II. RETURN TO COMMISSION

On March 28, 2019, Gregory filed a map in response to Order No. 22. Staff has reviewed the map, and, as detailed in the attached memorandum from Elisabeth English in the Commission's Water Utility Regulation Division, confirmed that the map contains the information required by Order No. 22. The parties therefore advise that this matter is ready for return to the Commission for its consideration.

III. MOTION TO ADMIT EVIDENCE

The parties hereby move that the map filed by Gregory on March 28, 2019, be admitted into the evidentiary record of this proceeding.

IV. CONCLUSION

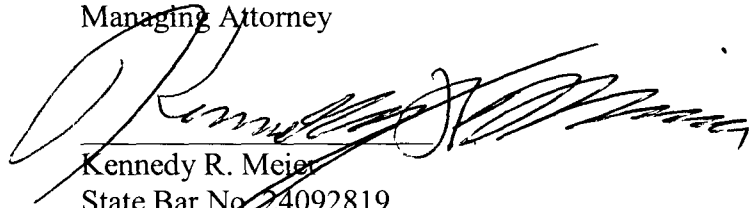
As detailed above, the parties jointly advise that this matter is ready for return to the Commission for its consideration.

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

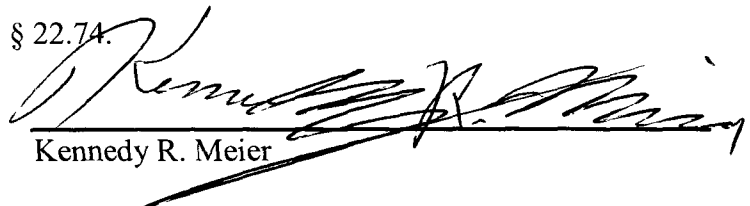


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 30th of April, 2019 in accordance with 16 TAC § 22.74.



Kennedy R. Meier

PUC Interoffice Memorandum

To: Kennedy Meier, Attorney
Legal Division

Thru: Heidi Graham, Manager
Water Utility Regulation Division

From: Elisabeth English, Engineering Specialist
Water Utility Regulation Division

Date: April 30, 2019

Subject: **Docket No. 45489;** *Application of City of Gregory to obtain Certificates of Convenience and Necessity in San Patricio County*

On December 31, 2015, the City of Gregory (Gregory) filed an application with the Public Utility Commission of Texas (Commission) to obtain water and sewer Certificates of Convenience and Necessity (CCN) in San Patricio County, Texas.

In response to discussion at the Commission's March 13, 2019, Open Meeting, Gregory was ordered to file a supplemental map demonstrating the need to provide service in their requested area. On March 28, 2019, Gregory filed a map depicting the requested area, the city limit boundaries, the extraterritorial jurisdiction (ETJ) boundaries, and the roadways. The map also depicted the locations of the requests for service located outside Gregory's city limits.

North Gregory, LLC. (developer) requested service in an area north of Gregory's city limits. On July 3, 2018, Gregory filed the request for service, received from the developer, for approximately 250 acres. The letter states that the property is seeking service for multi-family residential service within the city limits, and single-family residential and retail service located in the ETJ. The supplemental map represents this area north of the city limits, keyed via yellow and blue area blocks.

Staff also notes that there is a portion of the requested area that is within the ETJ, east of the city limits, that does not have a request for service marked on the supplemental map. Based upon the existing water and sewer base maps, filed by Gregory on September 12, 2018, it is understood that this area is currently being provided service.