



Control Number: 45489



Item Number: 7

Addendum StartPage: 0

DOCKET NO. 45489

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

§
§
§
§
§

RECEIVED
2016 FEB -2 PM 4:14
PUBLIC UTILITY COMMISSION

OF TEXAS
FILING CLERK

**ORDER NO. 2
FINDING APPLICATION INCOMPLETE AND DEFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

I. Application

On December 31, 2015, the City of Gregory (Gregory) filed with the Public Utility Commission of Texas (Commission) an application to obtain new water and sewer certificates of convenience and necessity in San Patricio County, Texas. Order No. 1 required Commission Staff to file comments on the administrative completeness of the application and proposed notice.

II. Staff Recommendation on Administrative Completeness of the Application

On February 1, 2016, Commission Staff filed comments on the application. Commission Staff has determined that the application is not administratively complete because it contains material deficiencies, as specifically described in Commission Staff's February 1, 2016 filing and the attached memorandum of Sean Scaff and Gary Horton of the Commission's Water Utility Regulation Division. Pursuant to 16 Tex. Admin. Code § 24.8(a), applications are not considered filed until a determination of administrative completeness is made; thus, at this time the application is not considered filed with the Commission. Gregory should not publish notice of the application until these discrepancies are corrected and approved by Commission Staff.

III. Proposed Procedural Schedule

Commission Staff proposes that Gregory be given until March 2, 2016 to address the deficiencies identified by Commission Staff. Commission Staff proposes to file additional comments regarding completeness of the amended application, along with a proposed procedural schedule on April 1, 2016.

7


IV. Finding Application Incomplete and Deficient, Providing Opportunity to Cure

Consistent with Commission Staff's recommendation, Gregory's application is found administratively incomplete and deficient. On or before **March 2, 2016**, Gregory shall amend its application to cure the deficiencies noted by Commission Staff. Processing of the application cannot proceed until the requested items are received and reviewed.

On or before **April 1, 2016**, Commission Staff shall file additional comments regarding administrative completeness, along with a proposed procedural schedule if deemed administratively complete.

SIGNED AT AUSTIN, TEXAS on the 2nd day of February 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE