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DOCKET NO. 45552

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APPLICATION OF OLD TAMINA §
WATER SUPPLY CORPORATION TO §
AMEND ITS WATER CERTIFICATE §
OF CONVENIENCE AND NECESSITY §
FOR DUAL CERTIFICATION WITH §
THE CITY OF SHENANDOAH IN §
MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS
PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S SUPPLEMENTAL COMMENTS ON ADMINISTRATIVE
COMPLETENESS**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 8, and would show the following:

I. Background

On May 15, 2013, Old Tamina WSC filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12289 for a dual certification with the City of Shenandoah (Shenandoah) and obtain a new sewer CCN in Montgomery County with the Texas Commission on Environmental Quality (TCEQ). On May 27, 2016, the Administrative Law Judge (ALJ) issued Order No. 1 granting Old Tamina WSC's Motion to sever the application to obtain a sewer CCN from the water CCN application for dual certification.

On June 16, 2017, Order No. 8 was issued requiring Staff to file a supplemental recommendation regarding the administrative completeness of the application by July 17, 2017. Therefore, this pleading is timely filed.

II. Request

Staff has reviewed the amended application of Old Tamina WSC and recommends the application be deemed administratively incomplete for the reasons set forth in attached memorandum from Debbie Reyes Tamayo of the Water Utility Division Staff.

III. Conclusion

Staff requests the Administrative Law Judge enter an order deeming Old Tamina WSC's application administratively incomplete.

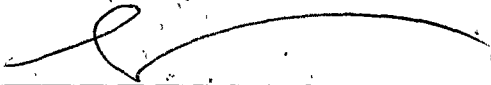
Dated: July 17, 2017

**PUBLIC UTILITY COMMISSION
LEGAL DIVISION**

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director


Karen S. Hubbard
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 July 17, 2017, in accordance with 16 TAC § 22.74.



Landon J. Lill

PUC Interoffice Memorandum

TO: Landon Lill, Attorney
Legal Division

THRU: Lisa Fuentes, Manager
Water Utility Division

FROM: Debbie Reyes Tamayo, Program Specialist
Water Utility Division

DATE: July 14, 2017

SUBJECT: *Docket No. 45552, Application of Old Tamina Water Supply Corporation (WSC) to Amend its Water Certificate of Convenience and Necessity for Dual Certification with the City of Shenandoah in Montgomery County (37615-C)*

On May 13, 2013, Old Tamina WSC (Old Tamina or Applicant) filed an application with the Texas Commission on Environmental Quality (TCEQ) to amend Certificate of Convenience and Necessity (CCN) No. 12289, to obtain dual certification with a portion of CCN No. 13146 held by the City of Shenandoah, in Montgomery County, pursuant to the criteria in the Texas Water Code, Chapter 13, and the TCEQ's rules outlined in Title 30, Texas Administrative Code (TAC), Sections 291.101 – 291.107. On September 1, 2014, the rates and CCN programs were transferred from the TCEQ to the Public Utility Commission (PUC). This application was part of the transfer and is now under the PUC's purview. The application is now being reviewed pursuant to 16 TAC §§ 24.101 – 24.107.

Order No. 8 addresses Commission Staff's recommendation regarding administrative completeness of the application. Staff has reviewed the information provided by the Applicant and recommends the application be deemed administratively incomplete and insufficient for filing due to the deficiencies detailed below.

Mapping Content

The general location map and digital mapping data filed on June 16, 2017 are deficient.

The property for Conroe Independent School District's landowner opt out request was accurately removed from the proposed water CCN service area; however, the general location map shows the same requested areas of dual and single certification as shown on the detailed map. The digital mapping data includes areas already certificated to the Applicant. These certificated areas must be removed from the proposed water CCN service area.

Staff recommends the Applicant file the following items to resolve their deficiencies:

1. A revised general location (small scale) map identifying the proposed water CCN service areas in reference to the nearest county boundary, city or town. Areas of dual certification with the City of Shenandoah and area of single certification for Old Tamina WSC must be easily identified.

2. Revised digital mapping data in a shapefile format for the proposed water CCN service area, which accurately removes the requested CIRD property.
 - a. File the digital mapping data on a CD with the projection (.prj) file used to create the shapefile.
 - b. The revised digital mapping data filed must correspond to the same proposed water CCN service area as shown on the map filed on June 16, 2017 and the revised general location map.
3. State the revised total acreage for the proposed water CCN service area after removing areas already certificated to the Applicant. The total acreage must correspond to the same acreage included in the revised digital mapping data.