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Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION
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PUBLIC UTILITY COMMISSION

OF TEXAS

APPLICATION OF THE CITY OF §
CIBOLO FOR SINGLE §
CERTIFICATION IN §
INCORPORATED AREA AND TO §
DECERTIFY PORTIONS OF GREEN §
VALLEY SPECIAL UTILITY §
DISTRICT'S SEWER CERTIFICATE §
OF CONVENIENCE AND §
NECESSITY IN GUADALUPE §
COUNTY §

CITY OF CIBOLO'S PROPOSED LIST OF ISSUES

COMES NOW the City of Cibolo (the "City"), by and through its undersigned attorneys of record, and files this Proposed List of Issues ("List of Issues") and would respectfully show the following:

I. BACKGROUND

On March 8, 2016, the City timely filed its application at the Public Utility Commission ("Commission") under TWC § 13.255 (the "Application") to grant the City single sewer certification over certain, specific tracts of land that are currently within the City's corporate limits and that are also within the boundaries of Green Valley Special Utility District's ("GVSUD") sewer certificate of convenience and necessity ("CCN") No. 20973. On May 4, 2016, the Public Utility Commission ("Commission") issued an order indicating that the City, Commission Staff, and any other interested person may file a list of issues to be addressed in the docket by noon on May 12, 2016. Thus, the City's List of Issues is timely filed.

15

II. ISSUES TO BE ADDRESSED

1. Are the areas for which the City seeks single certification within the service area of a nonprofit water or sewer service corporation, a special utility district under Texas Water Code ("TWC") Ch. 65, or a fresh water supply district under TWC Ch. 53?
2. Did the City notify GVSUD in writing of its intent to provide service to the areas for which the City seeks single certification? TWC § 13.255(b) and 16 TAC § 24.120(b).
3. If so, did the City wait at least 180 days after providing GVSUD notice before the City filed its Application with the Commission?
4. Has the City demonstrated that no retail public utility sewer facilities will be rendered useless or valueless to GVSUD? TWC § 13.255(c) and 16 TAC § 24.120(c). If not, has the City provided an appraisal as required under TWC § 13.255(l) and 16 TAC § 24.120(m)?
5. What is the adequate and just compensation to be paid, if any, to GVSUD for any GVSUD property rendered useless or valueless to GVSUD as a result of single certification to the City? TWC §§ 13.255(c), (g), (g-1), and (l) and 16 TAC § 24.120(c), (g), (h), and (m).

II. ISSUES NOT BE ADDRESSED

1. The City, in its Application, did not request the transfer of any of GVSUD's wastewater property under § 13.255(c) and 16 TAC 24.120(c). Thus, it is not necessary to determine adequate compensation for any transferred wastewater facilities in accordance with TWC § 13.255(l) and 16 TAC § 24.120(m).
2. The City is requesting single certification only for retail sewer service. Thus, it is not necessary for the City to demonstrate compliance with the Texas Commission on

Environmental Quality minimum requirements for public drinking water systems. TWC § 13.255(m) and 16 TAC § 24.120(n).

3. The City is requesting single certification only for retail sewer service. Thus, the adequate and just compensation to be paid, if any, to GVSUD for any GVSUD property rendered useless or valueless to GVSUD as a result of single certification to the City should not take into consideration any water property or water assets of GVSUD.

III. THRESHOLD LEGAL OR POLICY ISSUES

The City has not identified any legal or policy issues that should be briefed for purposes of the preliminary order.

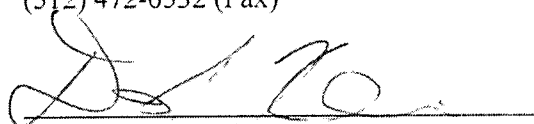
IV. CONCLUSION AND PRAYER

The City respectfully requests that the Commission accept the City's List of Issues and such other and further relief to which it may be entitled.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5800
(512) 472-0532 (Fax)



DAVID J. KLEIN
State Bar No. 24041257
dklein@lglawfirm.com

CHRISTIE DICKENSON
State Bar No. 24037667
cdickenson@lglawfirm.com

ATTORNEYS FOR THE CITY OF CIBOLO

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery and/or regular, first class mail on this 12th day of May, 2016 to the parties of record.


David J. Klein