



Control Number: 45702



Item Number: 20

Addendum StartPage: 0

APPLICATION OF 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

§  
§  
§  
§  
§  
§  
§  
§

RECEIVED  
PUBLIC UTILITY COMMISSION  
2016 MAY 19 AM 11:47  
OF TEXAS  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S RESPONSE TO GREEN VALLEY'S PLEA TO  
JURISDICTION AND MOTION TO DISMISS**

**COMES NOW** the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this response to Grass [sic] Valley Special utility District's Plea to the Jurisdiction and Motion to Dismiss with Debt Information Listing. In support thereof, Staff would show the following:

**I. Background**

On April 29, 2016, Green Valley Special Utility District (Green Valley) filed a plea to the jurisdiction and motion to dismiss. Staff has until May 20, 2016 to respond per 16 Tex. Admin. Code § 22.181(a)(2) (TAC). Therefore, this response is timely.

**II. Response**

Green Valley argues that the application cannot proceed because Green Valley's "certificated sewer service area is 'sacrosanct' and federally protected from municipal encroachment under 7 U.S.C.A § 1926(b)" and that the City of Cibolo's (Cibolo) petition should be dismissed for lack of jurisdiction. Green Valley fails to make and argument as to why the Commission the Commission lacks jurisdiction to determine whether or not 7 U.S.C.A. § 1926(b) applies. The pleading is therefore flawed and defective on its face. Thus, Green Valley's motion should be denied.


Staff reserves to the right to respond to Green Valley whenever its motion is properly pled.

PUBLIC UTILITY COMMISSION  
LEGAL DIVISION

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

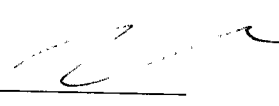
---

Landon J. Lill  
State Bar No. 24092700  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7228  
(512) 936-7268 (facsimile)

**DOCKET NO. 45702**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 18, 2016, in accordance with P.U.C. Procedural Rule 22.74.

---

Landon J. Lill