



Control Number: 45762



Item Number: 29

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF G-M WATER SUPPLY CORPORATION TO AMEND ITS WATER CERTIFICATE OF CONVENIENCE AND NECESSITY IN SABINE COUNTY	§ § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF’S NOTICE SUFFICIENCY RECOMMENDATION

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Notice Sufficiency Recommendation. Staff is unable to determine whether G-M WSC’s notice is sufficient and recommends that G-M WSC be ordered to file supplemental information as specified below. In support thereof, Staff shows the following:

I. Background

On March 25, 2016, G-M Water Supply Corporation (G-M WSC) filed an application with Frontier Park Resort & Marina (Frontier Park) for sale, transfer, or merger of facilities and CCN rights in Sabine County, Texas. Specifically, G-M WSC sought to acquire the water system assets and service area of Frontier Park held under CCN No. 12689 pursuant to Tex. Water Code § 13.301 (TWC) and 16 Tex. Admin. Code §§ 24.109 and 24.112 (TAC).

On April 25, 2017, the Commission administrative law judge (ALJ) issued Order No. 9, deeming notice deficient, directing G-M WSC to file supplemental information, and establishing a deadline of 10 days from the filing of the supplemental information for Staff to file a supplemental recommendation on the sufficiency of G-M WSC’s notice. G-M WSC filed supplemental information on April 27, 2017. Ten days from April 27 is May 7, which is a Sunday. Under 16 TAC §22.4(a), Staff’s deadline is therefore Monday May 8, and this pleading is timely filed.

II. Notice Sufficiency

As further detailed by the attached memorandum of Patricia Garcia of the Water Utilities Division (Attachment A), Staff has reviewed G-M WSC’s proof of notice filing and is unable to determine whether G-M WSC provided sufficient notice. The map the G-M WSC included with the notice depicts an area larger than the area applied for in the initial application. Staff has

29

conferred with G-M WSC, which has indicated to Staff that it intends to modify its application to request the expanded area depicted in the notice map. As a result, there exists a possibility that additional entities might need to receive notice of the application. Staff is unable to determine whether additional entities need to be noticed without digital mapping data to review. Staff therefore requests that G-M WSC be directed to indicate in writing whether it intends to amend its application to request the larger area, and if it does intend to request the larger area, to amend its application and provide the digital mapping data that corresponds to the expanded area G-M WSC intends to request.

III. Proposed Procedural Schedule

Based on the recommendations above, Staff proposes the following procedural schedule:

Event	Date
Deadline for G-M WSC to file supplemental information	May 23, 2017
Deadline for Staff to file a supplemental recommendation regarding the sufficiency of G-M WSC's notice	June 2, 2017
Deadline to intervene	30 days after last notice is issued

IV. Conclusion

For the reasons stated above, Staff respectfully recommends that G-M WSC be ordered to indicate in writing whether it intends to amend its application to request a larger area, and to amend its application and file digital mapping data that corresponds to the expanded area G-M WSC requests if it does intend to amend its application.

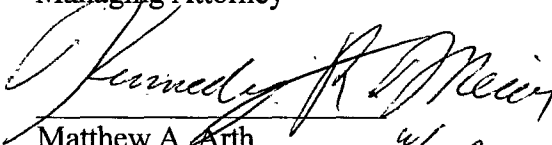
Dated: May 5, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

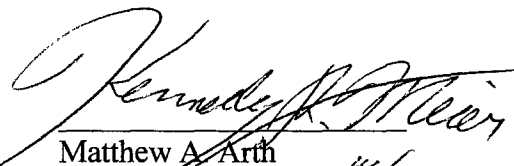
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P.U.C. DOCKET NO. 45762

CERTIFICATE OF SERVICE

Kennedy R. Meier
I, ~~Matthew Arth~~, staff attorney for the Public Utility Commission of Texas, certify that a copy of this document was served on all parties of record on May 5, 2017, in accordance with the requirements of 16 Tex. Admin. Code § 22.74.


Matthew A. Arth *w/ permission*

PUC Interoffice Memorandum

To: Matthew Arth
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Manager
Water Utilities Division

From: Patricia Garcia, Staff Engineer
Water Utilities Division

Date: May 5, 2017

Subject: **Docket 45762**, *Application of G-M Water Supply Corporation to Amend Its Water Certificate of Convenience and Necessity in Sabine County*

On March 25, 2016, G-M Water Supply Corporation (G-M WSC) filed an application for the sale, transfer, or merger (STM) of facilities and Certificate of Convenience and Necessity (CCN) rights in Sabine County. G-M WSC sought approval to acquire all of the water system assets of Frontier Park Resort & Marina (Frontier Park) held under water CCN No. 12689 pursuant to Texas Water Code § 13.301 (TWC) and the 16 Tex. Admin. Code (TAC) §§ 24.109 and 24.112.

On January 12, 2017, Frontier Park's CCN No. 12689 was revoked in Docket No. 46316. On February 1, 2017, Staff filed a status update requesting the docket be restyled from a STM proceeding to a proceeding to amend G-M WSC's CCN No. 11393. On February 6, 2017, the Commission approved the request and the application will proceed as G-M WSC amending their CCN to include the area previously shown under Frontier Park's CCN No. 12689 pursuant to TWC §§ 13.242-13.250 and 16 TAC §§ 24.101-24.107.

On April 27, 2017, in response to Order No. 9, the Applicant filed affidavit and notice documents including a map provided with the mailed notice. The map provided with mailed notice shows additional service area that was not part of the requested area reviewed by staff in the original application. Staff recommends the Applicant provide mapping data for the additional area requested.