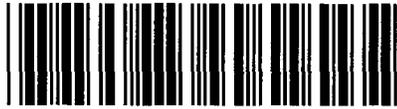




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SOAH DOCKET NO. 473-16-5010.WS
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APPLICATION OF CITY OF
PORTLAND TO AMEND ITS
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN SAN PATRICIO
COUNTY

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 10
GRANTING JOINT MOTION TO ADMIT EVIDENCE AND PROPOSED ORDER,
REMANDING CASE TO COMMISSION, AND DISMISSING CASE

I. INTRODUCTION

On March 29, 2016, the City of Portland, Texas (Portland) filed an application to amend its water certificate of convenience and necessity (CCN), No. 10541, and its sewer CCN, No. 20216 in San Patricio County. On June 15, 2016, Rincon Water Supply Company (Rincon) intervened and filed a request for hearing. On June 20, 2016, the City of Gregory, Texas (Gregory) filed a request to intervene. The Public Utility Commission (Commission) subsequently referred the case to the State Office of Administrative Hearings (SOAH) on July 7, 2016.

On February 28, 2017, Rincon withdrew its objection to Portland's CCN filing and withdrew its request for hearing. On April 11, 2017, the Administrative Law Judge (ALJ) issued Order No. 7 adopting a procedural schedule that would provide Portland, Gregory, Rincon, and Commission staff (Staff) sufficient time to explore settlement. On May 25, 2017, Staff filed its Final Recommendation recommending that Portland's water and sewer CCN application be approved based on the stipulation that Portland file descriptions of the CCN service area with the appropriate county clerks' offices pursuant to Texas Water Code § 13.257. On June 23, 2017, Staff, Portland, Rincon, and Gregory (collectively, the Parties) filed their Joint Motion to Admit Evidence, and Proposed Order. All Parties support the Joint Motion to Admit Evidence and Proposed Order.

II. EVIDENCE

As evidenced in the language of the Joint Motion to Admit Evidence and Proposed Order, there remain no disputed issues in this case. Further, the Parties request admission in evidence of certain exhibits. No party opposes the introduction of the following exhibits:

1. Portland's application for a CCN amendment, filed on March 29, 2016 (Interchange item No. 1);
2. The affidavits of notice, filed on May 31, 2016 (Interchange item No. 7);
3. Rincon's letter addressed "To Whom It May Concern," delivered to the ALJ, and filed on March 13, 2017 (Interchange item No. 31);

4. Portland's letter to the ALJ, dated March 10, 2017, and filed on March 13, 2017 (Interchange item No. 32);
5. The consent forms to the final map and certificate, filed May 10, 2017 (Interchange item No. 37); and
6. Commission Staff's recommendation that the Application be approved, filed May 25, 2017 (Interchange item No. 38).

The ALJ also admits for the Commission's convenience, the Joint Motion to Admit Evidence and Proposed Order, which includes the parties' Joint Proposed Order, proposed Findings of Fact, proposed Conclusions of Law, proposed Ordering Paragraphs, proposed amendments to Portland's water and sewer CCNs, and two maps outlining the contours of Portland's water and sewer service areas. Any party contesting the admission of the Joint Motion to Admit Evidence and Proposed Order may do so in a motion filed within five working days of receipt of this order.

Accordingly, the Parties' Joint Motion to Admit Evidence and Proposed Order is **GRANTED**. It is further **ORDERED** that this case is **REMANDED** to the Commission for final processing. Because all disputed issues in this case have been resolved, this case is hereby **DISMISSED** from SOAH's docket.

SIGNED June 27, 2017.



FERNANDO RODRIGUEZ
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS