

Control Number: 45919



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DOCKET NO. 45919

**APPLICATION OF CITY OF §
PRINCETON TO AMEND A SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN COLLIN COUNTY §**

PUBLIC UTILITY COMMISSION

OF TEXAS

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PUBLIC UTILITY COMMISSION
FILING CLERK

JOINT MOTION TO ADMIT EVIDENCE AND PROPOSED NOTICE OF APPROVAL

COME NOW, the Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”), and the City of Princeton (Princeton), and files this Joint Motion to Admit Evidence and Proposed Notice of Approval.

I. REQUEST TO ADMIT EVIDENCE

Staff and Princeton jointly request to admit the following evidence into the record of this proceeding:

- A. Application of Princeton to amend its sewer Certificate of Convenience and Necessity (CCN) No. 21057 in Collin County (Commission automated interchange system [AIS] Item No. 1, filed May 2, 2016).
- B. Princeton’s supplemental filings, filed on June 10, 2016 (AIS Item No. 7), September 26, 2016 (AIS Item No. 14), and October 27, 2016 (AIS Item No. 15).
- C. Princeton’s Publishers Affidavit and Affidavit of Notice to Neighboring Utilities and Affected Parties (AIS Item No. 10, filed on September 6, 2016).
- D. Staff’s Recommendation on Final Disposition (AIS Item No. 16, filed November 14, 2016).

II. PROPOSED NOTICE OF APPROVAL

Staff and Princeton request that the Commission issue a notice of approval in the form of the attached Joint Proposed Notice of Approval.


Dated: December 2, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

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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 December 2, 2016, in accordance with 16 TAC § 22.74.



Ralph J. Daigneault

DOCKET NO. 45919

APPLICATION OF CITY OF PRINCETON TO AMEND A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN COLLIN COUNTY §
§
§
§ **PUBLIC UTILITY COMMISSION OF TEXAS**

NOTICE OF APPROVAL

This Notice of Approval addresses the application (Application) of the City of Princeton (Princeton) for approval of an amendment to its sewer certificate of convenience and necessity (CCN) No. 21057 in Collin County. Through its Application, Princeton seeks to amend its sewer CCN No. 21057 pursuant to Texas Water Code §§ 13.242-.250 (TWC) and 16 Tex. Admin. Code §§ 24.101-.107 (TAC). The Public Utility Commission Staff (Staff) recommended approval of this application. The application is approved. The Commission adopts the following findings of fact and conclusions of law:

FINDINGS OF FACT

Procedural History

1. On May 2, 2016, Princeton filed an Application with the Public Utility Commission of Texas (Commission) to amend its sewer CCN No. 21057 in Collin County.
2. Princeton currently operates a sewer system that serves approximately 2,806 connections in their sewer CCN area of 28,147 acres.
3. On June 10, 2016, Princeton filed Supplemental Application Information which included additional mapping information.
4. On August 5, 2015, Order No. 3 was issued, deeming the application sufficient for filing.
5. On September 6, 2016, Princeton filed its Publishers Affidavit and Affidavit of Notice to Neighboring Utilities and Affected Parties.

6. On September 26, 2016 and October 27, 2016, Princeton filed Supplemental Application Information, including a signed consent form evidencing its consent to the proposed map and certificate.
7. On November 14, 2016 Staff recommended that the Application be approved.
8. On December 2, 2016, the parties filed a joint proposed notice of approval and motion to admit evidence.

Notice

9. The Commission caused notice of this application to be published in the *Texas Register* on May 20, 2016.
10. Notice was provided by publication in the *The Princeton Herald* on August 18, 2016 and August 25, 2016.
11. Princeton mailed notice of the Application to neighboring systems, landowners, and cities and to neighboring utilities and affected parties on August 18, 2016.

Evidentiary Record

12. On December __, 2016, Order No. 6 was issued, admitting evidence into the record of this proceeding.

Informal Disposition

13. More than 15 days have passed since completion of the notice provided in this docket.
14. There were no protests or hearing requests filed in response to the public notices not withdrawn.
15. Staff and Princeton are the only parties to the proceeding.
16. No hearing is necessary.
17. The CCN certificate and map as admitted are approved.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority over this docket pursuant to the Tex. Water Code §§ 13.242- 13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101 - 24.107 (TAC).
2. Princeton is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(58).
3. Princeton has provided public notice of the Application in compliance with TWC § 13.246 and with 16 TAC § 24.106.
4. After considering the relevant factors in TWC § 13.246(c), Princeton has demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area and its current service area.
5. Princeton has demonstrated that the Application meets the requirements set forth in TWC §§ 13.242 - 13.250 and in 16 TAC §§ 24.101 and 24.102 to be granted an amendment to its CCN.
6. Princeton demonstrated that an amendment of its sewer CCN No. 21057 is necessary for the service, accommodation, convenience, or safety of the public, as required under TWC § 13.246(b) and 16 TAC § 24.102(c).
7. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

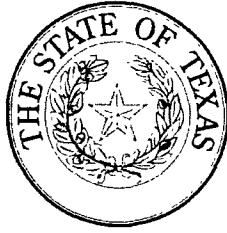
In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. Princeton' Application is approved.
2. Princeton' sewer CCN No. 21057 is hereby amended to reflect the addition of 2,914 acres of its service area in Collin County.

3. Princeton shall comply with the recording requirements in TWC § 13.257(r) for the areas in Collin County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
4. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the day of _____, 2016

TEXAS ADMINISTRATIVE LAW JUDGE



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Princeton

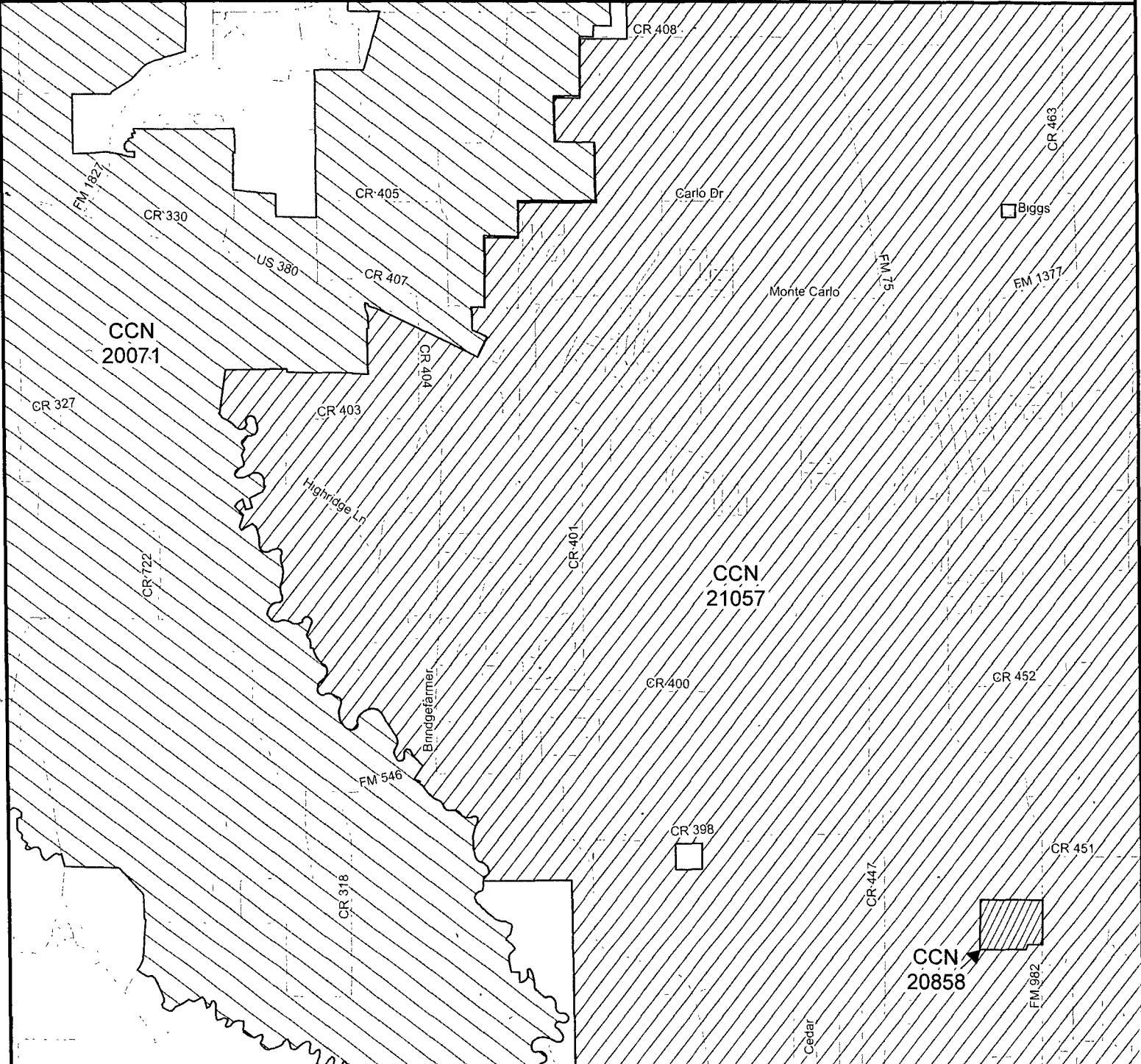
having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Princeton is entitled to this

Certificate of Convenience and Necessity No. 21057




to provide continuous and adequate sewer utility service to that service area or those service areas in Collin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 45919 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Princeton to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the _____ day of _____ 2016.

City of Princeton
 Portion of Sewer Service Area
 CCN No. 21057
 PUC Docket No. 45919
 Amended CCN No. 21057 in Collin County



Sewer CCN Service Areas

-  21057 - City of Princeton
-  20071 - City of McKinney
-  20858 - Lavon Country Meadows Ltd

