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ADMINISTRATIVE HEARINGS

APPLICATION OF CITY OF SCHERTZ §
TO AMEND A SEWER CERTIFICATE §
OF CONVENIENCE AND NECESSITY §
UNDER WATER CODE SECTION 13.255 §
AND TO DECERTIFY A PORTION OF §
GREEN VALLEY SPECIAL UTILITY §
DISTRICT'S CERTIFICATE RIGHTS IN §
BEXAR COUNTY §

COMMISSION STAFF'S REPLY BRIEF

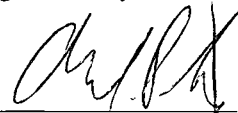
Dated: September 29, 2017

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 29, 2017, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to read 'A. Petak', is written over a horizontal line.

Alexander Petak

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APPLICATION OF CITY OF SCHERTZ TO AMEND A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY UNDER WATER CODE SECTION 13.255 AND TO DECERTIFY A PORTION OF GREEN VALLEY SPECIAL UTILITY DISTRICT'S CERTIFICATE RIGHTS IN BEXAR COUNTY	§ § § § § § § §	STATE OFFICE OF ADMINISTRATIVE HEARINGS
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COMMISSION STAFF'S REPLY BRIEF

Commission Staff of the Public Utility Commission of Texas files its Reply Brief. In support of its Reply Brief, Staff states the following:¹

I. Response

- A. The City of Schertz's notice is sufficient and the Application should be deemed complete (Preliminary Issues 2, 3 and 4).**

As explained in Staff's initial brief,² Staff believes the City of Schertz's notice meets the requirements of Texas Water Code Ann. § 13.255(b) (West 2016) (TWC). As GVSUD declined to offer further briefing on this topic and merely incorporated its response to Staff's Recommendation on Administrative completeness,³ Staff has no response.

- B. The City of Schertz's public-drinking-water system complies with the TCEQ's minimum requirements (Preliminary Issue 5).**

The City of Schertz has demonstrated compliance with the Commission's minimum requirements for public drinking water systems pursuant to TWC § 13.255(m). The correspondence contained in Attachment C of the City of Schertz's initial brief,⁴ and Attachment

¹ The deadline for parties' reply briefs is September 29, 2017. Commission Staff's Reply Brief is timely filed.

² Commission Staff's Initial Brief at 5 (Sep. 22, 2017).

³ Green Valley's Initial Brief on Contested Second Phase Hearing Issues at 2 (Sep. 22, 2017).

⁴ Initial Brief of the City of Schertz, Attachment C (Sep. 22, 2017).

A in the City of Schertz's Second Supplement to Application and First Supplement to Initial Brief,⁵ prove that the violations at issue have been resolved. Therefore, Staff continues to recommend that the Administrative Law Judge find that the City of Schertz meets the requirements of TWC 13.255(m).

II. Conclusion

The City of Schertz provided sufficient notice of their application to GVSUD, provided all information necessary to show that their application is administratively complete, and their public-drinking-water-system is in compliance with minimum drinking water standards.

⁵ Filed September 26, 2017.