

Control Number: 45959



Item Number: 12

Addendum StartPage: 0

APPLICATION OF TOWN OF
 PROVIDENCE VILLAGE TO OBTAIN
 CERTIFICATES OF CONVENIENCE
 AND NECESSITY, DECERTIFY
 PORTIONS OF MUSTANG SPECIAL
 UTILITY DISTRICT'S CERTIFICATES,
 AND CANCEL PROVIDENCE VILLAGE
 WCID NO. 1'S CERTIFICATES IN
 DENTON COUNTY

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PUBLIC UTILITY COMMISSION
 2016 SEP 22 PM 2:18
 OF TEXAS
 UTILITY COMMISSION
 FILING CLERK

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

Comes now the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files its Recommendation on Sufficiency of Notice in response to Order No. 3. In support thereof, Staff would show the following:

I. Background

On May 12, 2016, the Town of Providence Village (Providence Village or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain new water and sewer certificates of convenience and necessity (CCN), to amend water CCN No. 11856 and sewer CCN No. 20930 of Mustang Special Utility District (Mustang), and to cancel water CCN No. 13020 and sewer CCN No. 20922 of Providence Village WCID No. 1 in Denton County. The total area being requested includes approximately 2,012 current customers.

In Order No. 3, issued July 29, 2016, the Administrative Law Judge (ALJ) ordered (i) Providence Village to provide notice and thereafter file affidavits of notice by September 12, 2016, and (ii) Staff to file a recommendation on sufficiency of notice and an updated procedural schedule by September 22, 2016. Therefore, this pleading is timely filed. Providence Village timely filed its Response to Order No. 3 Providing Notice Affidavits on September 1, 2016.

II. Staff's Recommendation

Staff has reviewed Providence Village's response and recommends that notice be found sufficient. As required by Order No. 3, Providence Village submitted (i) an Affidavit of Notice to Neighboring Utilities; Landowners, and Affected Parties attesting that the individual notice with an accompanying map was mailed to each person on the mailing list; (ii) a Publisher's Affidavit

from the Denton Record-Chronicle attesting that the Notice for Publication was published in that newspaper on August 8 and August 15, 2016; and (iii) 5-year projected financial statements for the Town of Providence Village.

III. Updated Proposed Procedural Schedule

Staff recommends that notice be found sufficient. Staff therefore proposes the following procedural schedule:

Event	Date
Notice completed	August 15, 2016
Deadline for intervention	September 14, 2016 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	October 14, 2016
Deadline for Applicant to file signed consent forms with the Commission	October 28, 2016
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	November 4, 2016
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	November 10, 2016

IV. Conclusion

Staff respectfully requests the ALJ issue an order deeming Providence Village's notice sufficient and adopting the above proposed procedural schedule.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on August 4, 2016, and published on August 8 and August 15, 2016. Therefore, 30 days after August 15, 2016, is September 14, 2016.

Dated: September 22, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

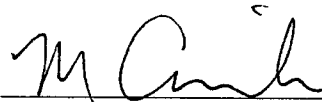


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DOCKET NO. 45959

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 22, 2016, in accordance with 16 TAC § 22.74.



Michael Crnich