



Control Number: 45959



Item Number: 5

Addendum StartPage: 0

DOCKET NO. 45959

RECEIVED

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 §

2016 JUN 13 AM 11:51  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILED CLERK

**COMMISSION STAFF'S RECOMMENDATION  
ON ADMINISTRATIVE COMPLETENESS**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Recommendation on Administrative Completeness. 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. 1, issued May 13, 2016, the Administrative Law Judge (ALJ) ordered Staff to file comments on the administrative completeness of the application and notice by June 13, 2016. Therefore, this pleading is timely filed.

**II. Recommendation**

Staff has reviewed Providence Village's application, and as detailed by the attached memorandum of Leila Guerrero, Patty Garcia, and Gary Horton, Jr., of the Water Utilities Division, Staff recommends that the application be found deficient and, therefore, administratively incomplete. Staff found that maps submitted by the Applicant are illegible and do not contain adequate detail. In addition, digital data from the Applicant must match existing neighboring

CCN's, so as not to leave gaps. Therefore, the application is deficient and administratively incomplete. Staff recommends that the Applicant contact mapping Staff for guidance in submitting the mapping information detailed in the attached memo to resolve the mapping deficiencies. Further, Staff requests that Applicant provide a copy of the decertification agreement between Mustang and Providence Village.

### **III. Procedural Schedule**

Because the application is deficient, Staff does not recommend a procedural schedule for the evaluation of the merits of the application at this time. Staff recommends that Providence Village be given a deadline of July 13, 2016, by which to cure the deficiencies in the application, and that Staff be given until July 29, 2016, to review the amended application. Furthermore, pursuant to 16 TAC § 24.8(d), an application is not considered filed until the Commission makes a determination of administrative completeness. If the ALJ agrees with Staff's deficiency recommendation, then the petition is not administratively complete and, therefore, is not considered filed.

### **IV. Conclusion**

For the reasons stated above, Staff respectfully recommends that an order be issued finding Providence Village's application administratively incomplete and ordering Providence Village to cure the deficiency in their application by July 13, 2016, and that Staff be given until July 29, 2016, to review the amended application.

Dated: June 13, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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Division Director

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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 June 13, 2016, in accordance with 16 TAC § 22.74.



Michael Crnich

## PUC Interoffice Memorandum

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**To:** Michael Crnich, Attorney  
Legal Division

**Thru:** Tammy Benter, Director  
Lisa Fuentes, Manager  
Heidi Graham, Manager  
Water Utility Regulation Division

**From:** Leila Guerrero, Regulatory Accountant/Auditor  
Patty Garcia, Engineering Specialist  
Gary Horton Jr., GIS Specialist  
Water Utility Regulation Division

**Date:** May 31, 2016

**Subject:** **Docket No. 45959**, *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*

On May 12, 2016, the Town of Providence Village, ("Applicant" or "Town") filed an application to obtain a water and a sewer Certificates of Convenience and Necessity (CCNs); to decertify a portion of Mustang Special Utility District's ("Mustang") CCN Nos. 11856 and 20930; and to cancel Providence Village WCID No. 1 CCN Nos. 13020 and 20922 in Denton County, Texas. The total area being requested includes approximately 760 acres and 2,012 current customers. This application is being reviewed pursuant to the criteria in the Tex. Water Code Ann. §§ 13.241 – 13.242, 13.244, 13.2451 and 13.246 (TWC) and 16 Tex. Admin. Code §§24.102 - 24.107 (TAC).

Staff has reviewed the mapping information provided by the Applicant and found that maps submitted are illegible and do not contain adequate detail. In addition, digital data from the Applicant must match existing neighboring CCN's, so as not to leave gaps.

Based on the above information, Staff recommends that the application be deemed deficient for filing and further recommends the Applicant contact mapping Staff for guidance in submitting the following to resolve the mapping deficiencies:

- 1) A small scale (general location) map showing only the proposed service area(s) with enough detail to locate the service area in the vicinity of the nearest town, city, or county.
- 2) A large scale (detailed) map showing only the proposed service area(s) with enough detail to accurately locate the proposed service area(s) in reference to verifiable man-made and/or natural landmarks such as roads, railroads, and rivers.
- 3) Digital data including only the proposed water and/or sewer service area(s) as a single polygon record, in either a drawing (DWG) or shapefile (SHP) format on a data disk (CD) **OR** submit metes and bounds (legal description). Include the details of the coordinate system or projection used to create the digital data.

In addition, the Applicant is required to provide copy of the "Decertification Agreement" between Mustang SUD and The Town of Providence Village.