

Control Number: 45989



Item Number: 11

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<p>APPLICATION OF MUSTANG SPECIAL UTILITY DISTRICT TO AMEND A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN DENTON COUNTY</p>	<p>§ § § § §</p>	<p>PUBLIC UTILITY COMMISSION OF TEXAS</p> <p>SEP 12 PM 1:04 PUBLIC UTILITY COMMISSION FILING CLERK</p>
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COMMISSION STAFF’S NOTICE SUFFICIENCY RECOMMENDATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Staff’s Notice Sufficiency Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On May 24, 2016, Mustang Special Utility District (Mustang SUD) filed an application with the Commission to amend its sewer certificate of convenience and necessity (CCN) No. 20930 in Denton County, Texas. On August 17, 2016, the Commission administrative law judge (ALJ) issued Order No. 3 deeming Mustang SUD’s application administratively complete and requiring Mustang SUD to file signed affidavits affirming proof of notice by September 29, 2016. Mustang SUD filed such proof of notice on September 1, 2016. Order No. 3 also included a deadline for Staff to file a recommendation regarding the sufficiency of Mustang SUD’s notice within 10 days of their filing. Ten days after September 1, 2016 is September 11, 2016, however because that is a Sunday when the Commission is closed, Staff interprets its deadline to be September 12, 2016. Therefore, this pleading is timely filed.

II. NOTICE SUFFICIENCY

Staff has reviewed Mustang SUD’s proof of notice, filed on September 1, 2016, and recommends that Mustang SUD’s notice be found sufficient.

III. FURTHER PROPOSED PROCEDURAL SCHEDULE

In support of the recommendation stated above, Staff proposes the following procedural schedule:

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Event:	Date:
Notice completed	August 31, 2016
Intervention deadline	September 30, 2016 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Mustang SUD for review and consent	November 29, 2016
Deadline for Mustang SUD to file signed consent forms with the Commission	December 9, 2016
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	December 16, 2016
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	December 22, 2016

Staff has conferred with counsel for Mustang SUD and is authorized to represent that Mustang SUD agrees with this proposed procedural schedule.

IV. CONCLUSION

For the above stated reasons, Staff respectfully recommends that Mustang SUD's notice be found sufficient and that the above proposed procedural schedule be adopted.

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 last mailed on August 29, 2016, and published on July 7 and July 14, 2016. Therefore, 30 days after August 29, 2016 is September 28, 2016.

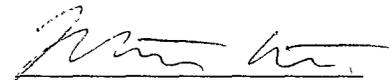
Dated: September 12, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

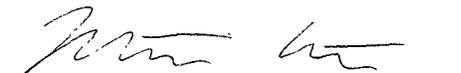
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**DOCKET NO. 45989
CERTIFICATE OF SERVICE**

I, Matthew Arth, Attorney – Legal Division of the Public Utility Commission of Texas, certify that a copy of this document was served on all parties of record in this proceeding on September 12, 2016 in the following manner: via facsimile.


Matthew A. Arth