



Control Number: 46411



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DOCKET NO. 46411

RECEIVED

APPLICATION OF THE CITY OF §  
DONNA TO AMEND A §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY AND TO §  
DECERTIFY A PORTION OF §  
NORTH ALAMO WATER SUPPLY §  
CORPORATION'S CERTIFICATE IN §  
HIDALGO COUNTY §

PUBLIC UTILITY COMMISSION  
OF TEXAS  
UTILITY COMMISSION  
FILING CLERK  
APR 11: 05

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

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Revised Supplemental Recommendation on Administrative Completeness in response to Order No. 2 and would show the following:

**I. BACKGROUND**

On September 29, 2016, the City of Donna (Donna) filed an application to amend its water certificate of convenience and necessity (CCN) No. 12790 in Hidalgo County and decertify a portion of North Alamo Water Supply Corporation's CCN No. 10553. This application was filed under Texas Water Code (TWC) § 13.255(a) and 16 Texas Administrative Code (TAC) § 24.120(a), which require the Commission to incorporate into the respective CCNs of a municipally owned utility, a franchised utility, and a retail public utility an agreement among the entities regarding the certification impact of the municipality's annexation or incorporation of any portion of the retail public utility's certificated service area.

On March 1, 2017, Order No. 2 was issued, establishing a deadline of April 14, 2017 for Staff to file a supplemental recommendation on the administrative completeness of the application if Donna supplemented its application. Donna supplemented its application on March 22, 2017. This pleading is therefore timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Patricia Garcia and Gary Horton, Jr. in the Commission's Water Utility Regulation Division, Staff has reviewed the supplemental material

filed by Donna and recommends that the application, as supplemented, be deemed administratively complete.

### **III. NOTICE**

Notice of Donna's application was provided in the October 14, 2016 issue of the *Texas Register*. Staff has reviewed the notice that has been provided in this matter and recommends that the notice provided be deemed sufficient.

### **IV. PROCEDURAL SCHEDULE**

Staff recommends that the application be found administratively complete. Staff therefore proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Donna for review and consent	May 12, 2017
Deadline for Donna to file signed consent forms with the Commission	May 26, 2017
Deadline for parties to file joint proposed findings of fact and conclusions of law	June 2, 2017

### **V. CONCLUSION**

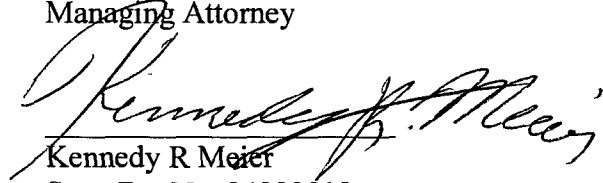
Consistent with the discussion above, Staff respectfully recommends that the application be deemed administratively complete, that the notice provided be deemed sufficient, and that the procedural schedule proposed above be adopted.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

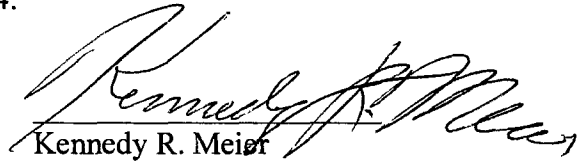


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 13<sup>th</sup> of April, 2017 in accordance with 16 TAC § 22.74.



Kennedy R. Meier

## PUC Interoffice Memorandum

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**To:** Kennedy Meier  
Legal Division

**Thru:** Tammy Benter, Director  
Lisa Fuentes, Manager  
Water Utilities Division

**From:** Patricia Garcia, Staff Engineer  
Gary Horton, Jr., GIS Specialist  
Water Utilities Division

**Date:** April 11, 2017

**Subject:** **Docket 46411**, *Application of the City of Donna to Amend a Certificate of Convenience and Necessity and to Decertify a Portion of North Alamo Water Supply Corporation's Certificate in Hidalgo County*

On September 29, 2016, the City of Donna (City or Applicant) filed an application to amend the City's water Certificate of Convenience and Necessity (CCN) No. 12790 and to decertify a portion of North Alamo WSC's water CCN No. 10553 in Hidalgo County. The application is being reviewed pursuant to Texas Water Code §§ 13.242 - 13.250 and 13.255 (TWC) and 16 Tex. Admin. Code (TAC) §§ 24.103(c), 24.105(d) and 24.120.

Order No. 2 established March 15, 2017, as the deadline for the City to provide supplemental information to cure its mapping deficiencies. On March 22, 2017, the City filed the supplemental information needed to continue the application review process. A Staff review of the information filed by the Applicant found that it is sufficient in the required mapping information. Therefore, Staff recommends that the application be deemed sufficient for filing and found administratively complete.