



Control Number: 46411



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DOCKET NO. 46411

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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

PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S FINAL RECOMMENDATION AND REQUEST FOR AN
EXTENSION**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Final Recommendation and Request for an Extension 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.

On April 20, 2017, Order No. 3 was issued, deeming the application administratively complete and establishing a deadline of June 2, 2017 for the parties to file a joint proposed notice of approval.

II. RECOMMENDATION

As detailed in the attached memorandum from Patricia Garcia in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be approved. A CCN map and certificates reflecting the changes requested in the application are attached.

III. PROCEDURAL SCHEDULE

Order No. 3 established Staff's recommended procedural schedule, which included a deadline of June 2, 2017 for the parties to file a joint proposed notice of approval, but did not include a deadline for the filing of a final recommendation from Staff. Because Staff typically

proposes procedural schedules that include time between the filing of a final recommendation and the filing of a joint proposed notice of approval, and because the parties are still in the process of drafting a joint proposed notice of approval, Staff requests that the deadline for filing a joint proposed notice of approval be extended to June 16, 2017

IV. CONCLUSION

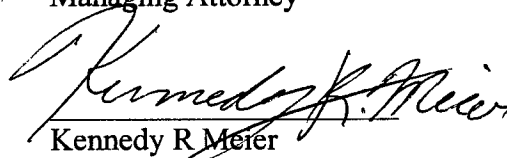
Consistent with the discussion above, Staff recommends that the application be approved and that the deadline for filing a joint proposed notice of approval be extended until June 16, 2017.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

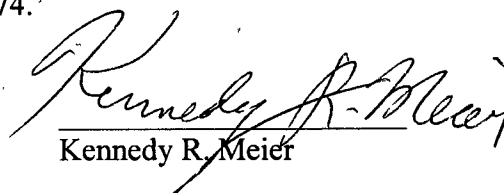


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 1st of June, 2017 in accordance with 16 TAC § 22.74.



Kennedy R. Meier

PUC Interoffice Memorandum

To: Kennedy Meier
Legal Division

Thru: Tammy Benter, Director
Water Utilities Division

From: Patricia Garcia, Staff Engineer
Water Utilities Division

Date: May 31, 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 Water Supply Corporation's (North Alamo WSC) water CCN No. 10553 in Hidalgo County. The application is being reviewed pursuant to Texas Water Code § 13.255 (TWC) and 16 Tex. Admin. Code (TAC) §§§ 24.103(c), 24.105(d) and 24.120.

The application was accepted for filing on April 20, 2017. The application included minutes from the North Alamo WSC board meeting held on August 10, 2006, discussing and approving the release of the tract of land to the City, a letter from North Alamo WSC to the City, dated January 17, 2007, confirming the approval of the release of land, and a copy of the City's compensation to North Alamo WSC for release of the CCN service area, dated January 17, 2007. The result of this agreement is that the City's CCN No. 12790 will be amended to include approximately 23 acres from North Alamo WSC's water CCN No. 10553. The City has demonstrated compliance with the Commission's minimum requirements for public drinking water systems pursuant to TWC §13.255(m).

Consent to the proposed final map was filed by the City on May 30, 2017 and North Alamo WSC on May 31, 2017.

The City and WSC have met the requirements to allow for the transfer of requested area; therefore, Staff recommends that the Commission approve the application. Staff further recommends that the City and the WSC file a copy of the CCN map along with a written description of the CCN service area in the appropriate county clerk's office pursuant to Texas Water Code § 13.257(r) and (s).



Public Utility Commission of Texas

**By These Presents Be It Known To All That
City of Donna**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, the City of Donna is entitled to this

Certificate of Convenience and Necessity No. 12790

to provide continuous and adequate water utility service to that service area or those service areas in Hidalgo County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 46411 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Donna, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this _____ day of _____ 2017.



Public Utility Commission of Texas

By These Presents Be It Known To All That

North Alamo Water Supply Corporation

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, North Alamo Water Supply Corporation is entitled to this

Certificate of Convenience and Necessity No. 10553



to provide continuous and adequate water utility service to that service area or those service areas in Cameron, Hidalgo, Kennedy and Willacy Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 46411 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the North Alamo Water Supply Corporation, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this _____ day of _____ 2017.

City of Donna
 Portion of Water CCN No. 12790
 PUC Docket No. 46411
 Amended CCN No. 12790 and
 Decertified a Portion of North Alamo WSC; CCN No. 10553 in Hidalgo County



Water CCN

-  12790 - City of Donna
-  10553 - North Alamo WSC

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