



Control Number: 46451



Item Number: 19

Addendum StartPage: 0

DOCKET NO. 46451

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2017 MAY 11 PM 1:39  
PUBLIC UTILITY COMMISSION

APPLICATION OF THE CITY OF §  
ROYSE CITY TO AMEND ITS WATER §  
AND SEWER CERTIFICATES OF §  
CONVENIENCE AND NECESSITY (CCN) §  
AND CANCEL VERANDAH MUNICIPAL §  
UTILITY DISTRICT'S CCNS IN HUNT §  
AND ROCKWALL COUNTIES §

PUBLIC UTILITY COMMISSION  
OF TEXAS

### JOINT PROPOSED NOTICE OF APPROVAL AND REQUEST TO ADMIT EVIDENCE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Joint Proposed Notice of Approval and Request to Admit Evidence, and would show the following:

#### I. BACKGROUND

On October 18, 2016, the City of Royse City (Royse City) filed an application to amend its water and sewer CCN Nos. 12827 and 20813 and to cancel Verandah Municipal Utility District's water and sewer CCN Nos. 13101 and 20958 in Hunt and Rockwall Counties. On February 10, 2017, Order No. 5 was issued, requiring that the parties file joint proposed findings of fact and conclusion of law by May 18, 2017.

#### II. JOINT PROPOSAL TO ADMIT EVIDENCE

Staff and Royse City recommend that the following be admitted as evidence into the record:

1. the Application and all attachments, filed on October 18, 2016;
2. proof of notice, filed on January 30 and February 1, 2017;
3. the notice of supplemental filing and all attachments, filed on February 2, 2017; and
4. the consent form, signed and filed by Royse City on April 7, 2017;
5. Commission Staff's recommendation and all attachments, filed on May 11, 2017.

#### III. PROPOSED NOTICE OF APPROVAL

Staff and Royse City have agreed on the attached Joint Proposed Notice of Approval. The parties request that the ALJ issue a notice of approval in the form of the attached Joint Proposed Notice of Approval.

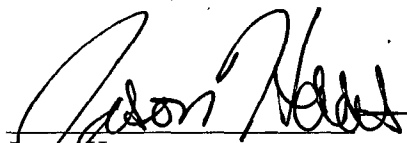
**Dated: May 11, 2017**

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

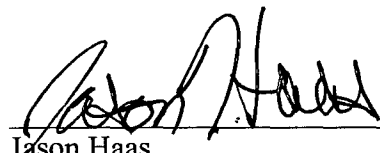
Karen S. Hubbard  
Managing Attorney



Jason Haas  
State Bar No. 24032386  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7255  
(512) 936-7268 (facsimile)  
Jason.haas@puc.texas.gov

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 11, 2017 in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas

**DOCKET NO. 46451**

<b>APPLICATION OF THE CITY OF</b>	<b>§</b>	
<b>ROYSE CITY TO AMEND ITS</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>WATER AND SEWER</b>	<b>§</b>	
<b>CERTIFICATES OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY (CCN) AND</b>	<b>§</b>	
<b>CANCEL VERANDAH MUNICIPAL</b>	<b>§</b>	<b>OF TEXAS</b>
<b>UTILITY DISTRICT'S CCNS IN</b>	<b>§</b>	
<b>HUNT AND ROCKWALL COUNTIES</b>	<b>§</b>	

**JOINT PROPOSED NOTICE OF APPROVAL**

This Notice addresses the application from the City of Royse City (Royse City) to amend its water and sewer certificates of convenience and necessity (CCN) Nos. 12827 and 20813 and to cancel Verandah Municipal Utility District's (Verandah) water and sewer CCN Nos. 13101 and 20958 in Hunt and Rockwall Counties. Public Utility Commission of Texas (Commission) Staff recommended approval of the application. The application is approved.

The Commission adopts the following Findings of Fact and Conclusions of Law:

**I. Findings of Fact**

**Procedural History, Description, and Background**

1. On October 18, 2016, Royse City filed an application to amend its water and sewer CCN Nos. 12827 and 20813 and to cancel Verandah Municipal Utility District's water and sewer CCN Nos. 13101 and 20958 in Hunt and Rockwall Counties.
2. On November 21, 2016, Order No. 2 was issued, deeming the application administratively complete.
3. On February 2, 2017, Royse City filed affidavits from the city attorney for Royse City and the general counsel for Verandah attesting to the execution of the Development Agreement, attached to the Application as Attachment 2.B.

4. On February 10, 2017, Order No. 5 was issued, deeming the proposed notice sufficient and complete and adopting a procedural schedule for the proceeding.
5. On April 7, 2017, Royse City filed a signed consent to the proposed water and sewer service area maps and certificates, as prepared by Commission Staff.
6. The proposed maps and certificates referenced in finding of fact 5 are attached to this Notice.
7. On May 11, 2017, Commission Staff filed its recommendation finding that Royse City demonstrates adequate financial, managerial, and technical capability to provide service to the area subject to this Application and that the Application be approved.
8. On May 11, 2017, Commission Staff filed a joint proposed notice of approval and a request to admit certain evidence in this proceeding.
9. On \_\_\_, Order No. 6 was issued, admitting evidence.

#### **Notice**

10. On January 30, 2017, Royse City filed proof of notice indicating that notice of the Application was published in the *Royse City Herald-Banner* on January 11 and 18, 2017.
11. On February 1, 2017, Royse City filed proof of notice indicating the provision of notice to all customers, neighboring utilities, and governmental entities on January 4, 2017.

#### **Informal Disposition**

12. More than 15 days have passed since completion of the notice in this Application.
13. Royse City and Commission Staff are the only parties to this proceeding.
14. There are no contested issues, no protests, no motions to intervene, and no requests for a hearing in this Application; therefore, no hearing is necessary.

## **II. Conclusions of Law**

1. The Commission has jurisdiction over these matters pursuant to Tex. Water Code §§ 13.041, 13.241, 13.246, and 13.254 (TWC) and 16 Tex. Admin. Code §§ 24.102 and 24.107 (TAC).
2. Royse City is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(59).
3. Royse City provided notice of the Application in compliance with TWC § 13.246 and 16 TAC § 24.106.
4. The Application was processed in accordance with the TWC and Commission rules.
5. After considering the factors in TWC § 13.246(c), Royse City has demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area as required in TWC § 13.241.
6. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

## **III. Ordering Paragraphs**

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. The Application amending Royse City's water and sewer CCN Nos. 12827 and 20813 and decertifying Verandah Municipal Utility District's water and sewer CCN Nos. 13101 and 20958 in Hunt and Rockwall Counties is approved.
2. Royse City's water and sewer CCN Nos. 12827 and 20813 are amended consistent with this Notice.

3. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied

**SIGNED AT AUSTIN, TEXAS the \_\_\_\_ day of May 2017.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**SUSAN E. GOODSON**  
**ADMINISTRATIVE LAW JUDGE**



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

**City of Royse City**

having duly applied for 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, City of Royse City is entitled to and is hereby granted this

## **Certificate of Convenience and Necessity No. 13255**

to provide continuous and adequate water utility service to that service area or those service areas in Collin, Hunt and Rockwall Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 46451 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Royse City 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, the \_\_\_\_\_ day of \_\_\_\_\_ 2017.





# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **City of Royse City**

having duly applied for 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, City of Royse City is entitled to and is hereby granted this

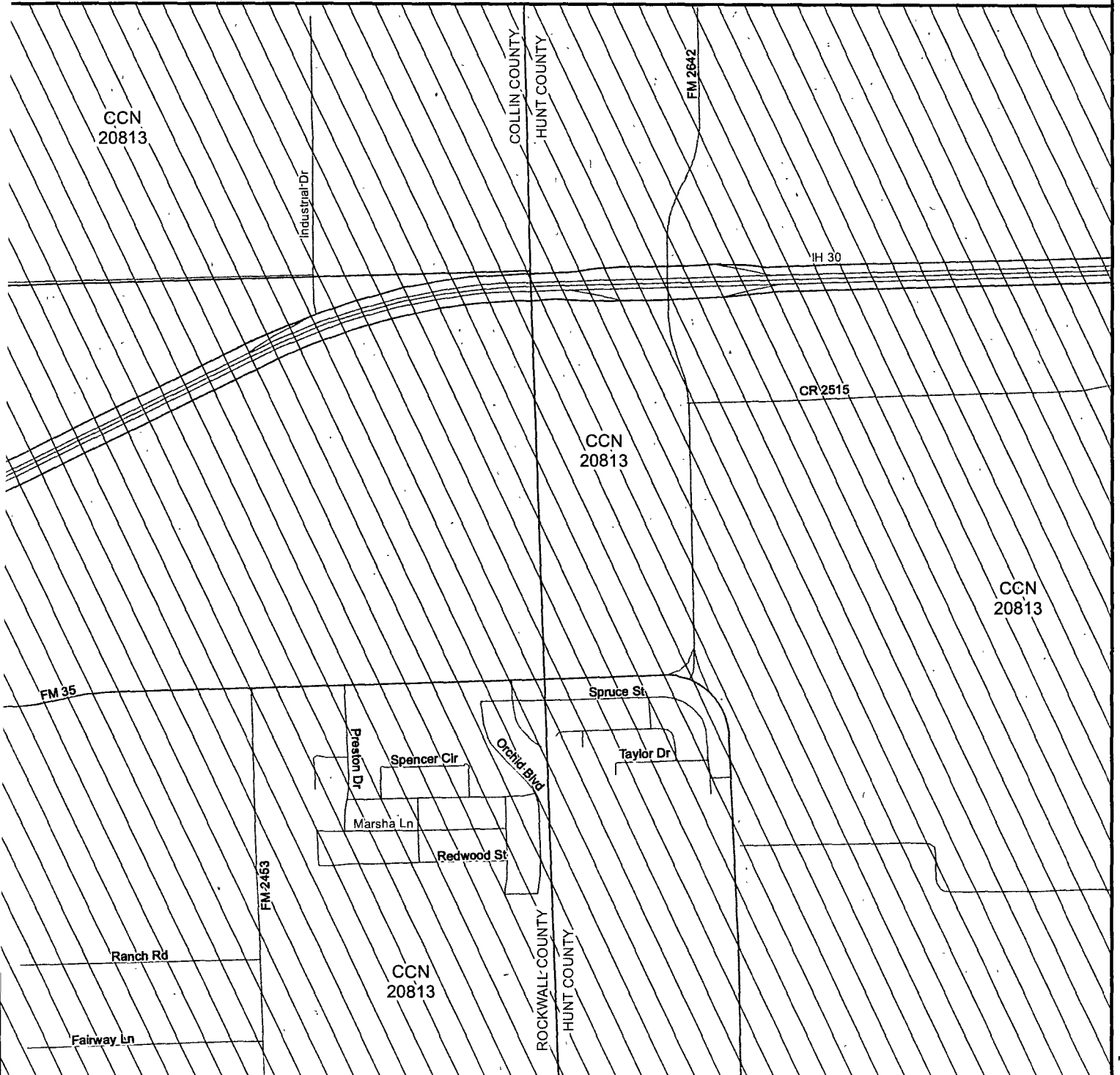
### **Certificate of Convenience and Necessity No. 20813**

to provide continuous and adequate water utility service to that service area or those service areas in Collin, Hunt and Rockwall Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 46451 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Royse City 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, the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

City of Royse City  
Sewer CCN No. 20813  
PUC Docket No. 46451

Amended CCN No. 20813 and Cancelled Verandah MUD, CCN No. 20958 in Hunt & Rockwall Counties



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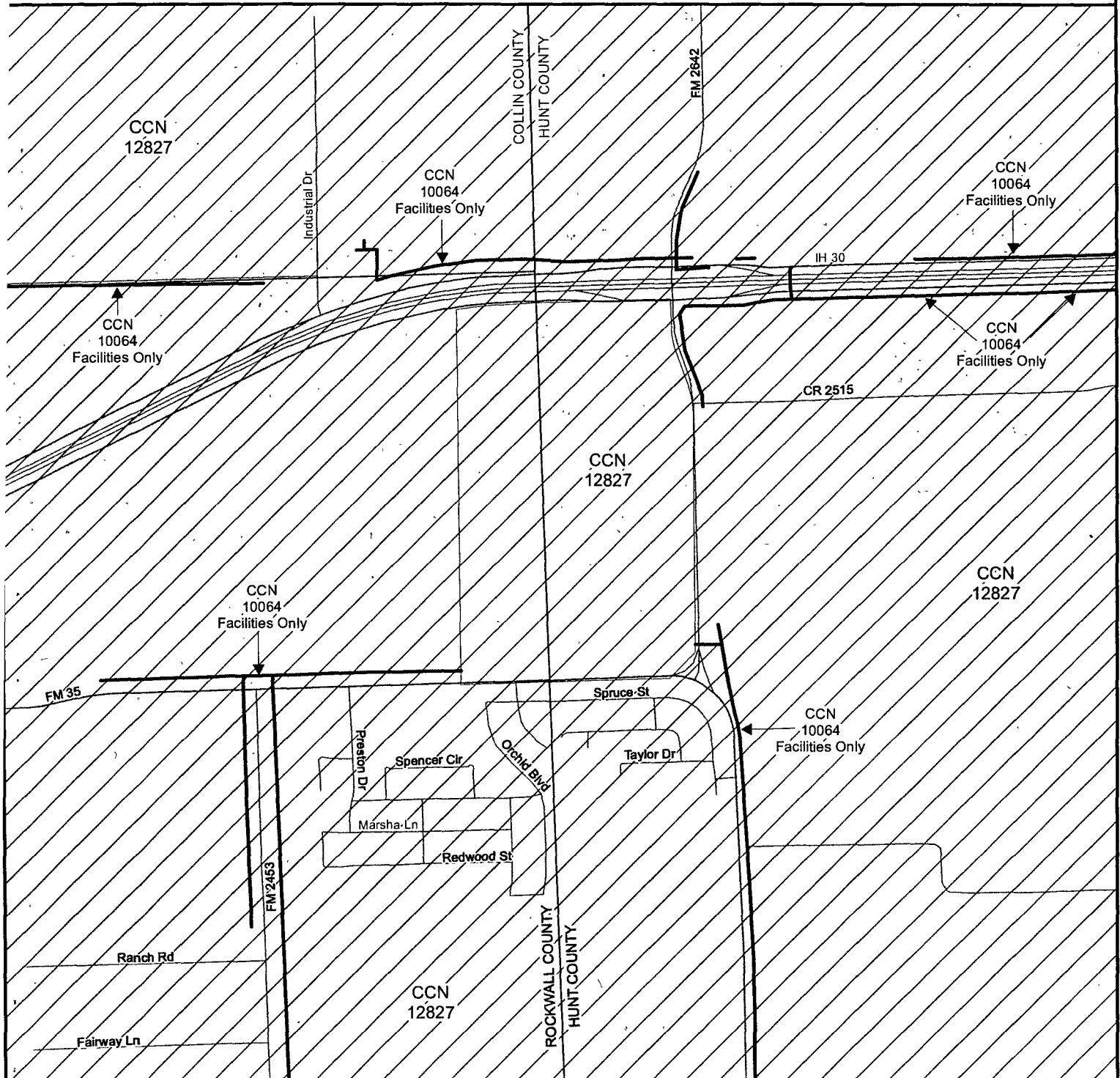


**Sewer CCN**

 20813 - City of Royse City

City of Royse City  
Water CCN No. 12827  
PUC Docket No. 46451

Amended CCN No. 12827 and Cancelled Verandah MUD; CCN No. 13101 in Hunt & Rockwall Counties




Public Utility Commission of Texas  
1701 N. Congress Ave  
Austin, TX 78701

**Water CCN**

 12827 - City of Royse City

**Facilities Only**

 10064 - BHP WSC

0 625 1,250  
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Map by: Komal Patel  
Date created: March 16, 2017  
Project Path: n:\finalmapping\46451 City of Royse City Water.mxd