



Control Number: 46558



Item Number: 12

Addendum StartPage: 0

APPLICATION OF CITY OF LUCAS  
TO OBTAIN A CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
COLLIN COUNTY

§  
§  
§  
§

PUBLIC UTILITY COMMISSION  
OF TEXAS

2017 JUN 23 PM 2:17  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION FINDING  
APPLICATION ADMINISTRATIVELY INCOMPLETE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Response to Order No. 3 and Supplemental Recommendation Finding Application Administratively Incomplete. In support thereof, Staff shows the following:

**I. Background**

On November 9, 2016, the City of Lucas (Lucas) filed an application to amend water certificate of convenience and necessity no. 10193 in Collin County. On May 1, 2017, Order No. 4 was issued finding the application incomplete and deficient and requiring Lucas to amend its application to cure the deficiencies noted by Staff by May 23, 2017. On May 23, 2017, Lucas amended its application. Order No. 4 also required Staff to file a supplemental recommendation regarding the administrative completeness of the application and proposed notice by June 23, 2017. Accordingly, this pleading is timely filed.

**II. Recommendation on Administrative Sufficiency**

Staff has reviewed the information provided by Lucas on May 23, 2017 and as supported by the attached memorandum of Jolie Mathis, Engineering Specialist and Gary Horton, GIS Specialist with the Water Utilities Division, continues to recommend that the application be deemed administratively incomplete and deficient. Pursuant to 16 TAC § 24.8(a), applications are not considered filed until a determination of administrative completeness is made. In order to continue processing the application, Staff recommends that Lucas provide the following requested information:

## **Mapping Content**

1. A general location map identifying the requested area in reference to the nearest county boundary, city, or town.
2. A detailed map identifying the requested area in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
3. Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet); OR metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

Staff's review of CCN applications is a meticulous, time intensive practice, and Staff has limited resources to process this kind of application. Lucas has the burden of providing the required information with its application in a timely manner. Processing of the application cannot proceed until the requested items are received and reviewed. Staff recommends that Lucas discuss how to resolve the mapping deficiencies with PUC mapping staff. In order to afford Staff the opportunity to provide a thorough analysis of this application, Staff respectfully recommends that Lucas cure the deficiencies in its application by July 21, 2017 and that Staff be required to provide a supplemental recommendation by August 18, 2017.

### **III. Proposed Procedural Schedule**

Due to the continued deficiencies in the application, Staff does not recommend a procedural schedule for the evaluation of the merits at this time. Staff recommends that the Applicants cure the deficiencies in its application by July 21, 2017 and that Staff be required to provide a supplemental recommendation by August 18, 2017.

### **IV. Conclusion**

Staff respectfully requests that an order be issued consistent with this Recommendation.

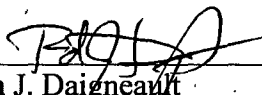
**Dated: June 23, 2017**

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director


Karen S. Hubbard  
Managing Attorney

  
\_\_\_\_\_  
Ralph J. Daigneault  
State Bar No. 24040755  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7348  
(512) 936-7268 (facsimile)  
[ralph.daigneault@puc.texas.gov](mailto:ralph.daigneault@puc.texas.gov)

**DOCKET NO. 46558**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on June 23, 2017, in accordance with 16 TAC § 22.74.

  
\_\_\_\_\_  
Ralph J. Daigneault

## PUC Interoffice Memorandum

---

**To:** Ralph Daigneault, Attorney  
Legal Division

**Through:** Lisa Fuentes, Manager  
Water Utilities Division

**From:** Jolie Mathis, Engineering Specialist  
Gary Horton, GIS Specialist  
Water Utilities Division

**SUBJECT:** Docket No. 46558, *Application of City of Lucas to Obtain a Certificate of Convenience and Necessity in Collin County*

**DATE:** June 23, 2017

On November 9, 2016, the City of Lucas (Applicant) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10193 in Collin County, Texas. This application is being reviewed pursuant to the criteria in the Texas Water Code Chapter 13 (TWC), and under 16 Tex. Admin Code §§24.102 – 24.107 (TAC).

Staff has reviewed the information provided by the Applicant on May 23, 2017, and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

**Mapping Content:**

Maps submitted are deficient. Applicant must submit the following items to resolve the mapping deficiencies:

1. A general location map identifying the requested area in reference to the nearest county boundary, city, or town.
2. A detailed map identifying the requested area in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
3. Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet); OR metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.