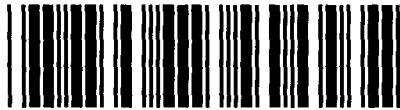


Control Number: 46558



Item Number: 9

Addendum StartPage: 0

DOCKET NO. 46558

RECEIVED

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

§
§
§
§

PUBLIC UTILITY COMMISSION

2017 APR 26 AM 9:06
PUBLIC UTILITY COMMISSION
OF TEXAS
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 February 21, 2017, Order No. 3 was issued finding the application incomplete and deficient and requiring Lucas to amend its application to cure the deficiencies noted by Staff by March 24, 2017. As of the date of this filing, Lucas has made no such filing. Order No. 3 also required Staff to file a supplemental recommendation regarding the administrative completeness of the application and proposed notice by April 26, 2017. Accordingly, this pleading is timely filed.

II. Recommendation on Administrative Sufficiency

Lucas has not amended its application to cure the deficiencies previously noted by Staff pursuant to Order No. 3. Staff 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:

Application Content

The application form filed under Water Code Section § 13.255 by Lucas is specifically for instances when a city has annexed area within a water supply corporation's (or SUD, FWSD) CCN area. Since Lucas is looking to incorporate uncertificated area into its CCN

service area, the proper application to file would be the Application to Obtain or Amend a CCN. Lucas should refile using the CCN amendment application which can be found at:

http://www.puc.texas.gov/industry/water/Forms/CCN_Application.pdf

Mapping Content

1. A small scale (general location) map showing only the proposed CCN service area(s) with enough detail to be accurately located in the vicinity of the nearest town, city, or county.
2. A large scale (detailed) map showing only the proposed CCN service area(s) with enough detail to be accurately located in reference to verifiable man-made and/or natural landmarks such as roads, railroads, and rivers.
3. Digital data consisting of only the proposed CCN service area(s) as a single polygon record, in either a shapefile (SHP) or drawing (DWG) format on a data disk (CD) OR submit metes and bounds (legal description). Include the details of the coordinate system or projection used to create the digital data.

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. Lucas has filed several large, very detailed maps but no digital data. Only two maps are necessary, and these maps should show only the entire proposed area(s) with roads, not existing CCNs. 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 May 26, 2017 and that Staff be required to provide a supplemental recommendation by June 23, 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 May 26, 2017 and that Staff be required to provide a supplemental recommendation by June 23, 2017.

IV. Conclusion

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


Dated: April 26, 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

DOCKET NO. 46558

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 26, 2017, in accordance with 16 TAC § 22.74.



Ralph J. Daigneault