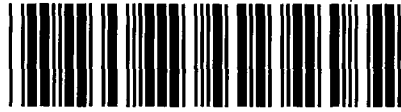


Control Number: 46612



Item Number: 15

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSIC:
FILING CLERK

APPLICATION OF CITY OF §
MERCEDES TO AMEND A §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY UNDER WATER §
CODE §13.255 AND DECERTIFY A §
PORTION OF NORTH ALAMO WATER §
SUPPLY CORPORATION'S SERVICE §
AREA IN HIDALGO COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

NOTICE OF APPROVAL

This Notice addresses the application of the City of Mercedes to amend its water certificate of convenience and necessity (CCN) and to decertify a portion of North Alamo Water Supply Corporation's water CCN in Hidalgo County. Commission Staff recommended approval of the application, as amended. The application, as amended, is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. On November 29, 2016, Mercedes filed an application under Texas Water Code § 13.255 (TWC), requesting an amendment to the City's water CCN for the addition of and single certification in certain service area that would be decertified from North Alamo's CCN. North Alamo supplemented the application on February 9, 2017.
2. Mercedes holds water CCN No. 12811 and North Alamo holds water CCN No. 10553.
3. The area subject to this application is entirely within the incorporated boundaries of Mercedes and includes the area along U.S. Hwy 83 between Mile 8 North and U.S. Business 83 and between Mile 1 East and Mile 3 West at the southeast edge of North Alamo's service area and contains 75 current customers.
4. The area subject to this application is currently certificated to North Alamo.
5. The parties agreed in writing that the area that is subject to this application may be served by Mercedes. North Alamo assigned its right to serve customers in the area subject area

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to this application to the City.

6. Mercedes filed a copy of the agreement with the application.
7. On March 8, 2017, Order No. 3 was issued, deeming the application administratively complete and establishing deadlines.
8. On March 29, 2017, Mercedes filed a consent to the proposed revised map for CCN Nos. 12811 and 10533 and certificate for CCN No. 12811, as prepared by Commission Staff.
9. On April 3, 2017, the parties filed a joint motion to admit evidence and proposed notice of approval, including a copy of the proposed revised map for CCN Nos. 12811 and 10533 and proposed revised certificate for CCN No. 12811.
10. On May 4, 2017, North Alamo filed a consent to the proposed revised map for CCN Nos. 12811 and 10533 and proposed revised certificate for CCN No. 10533, a prepared by Commission Staff.
11. On May 4, Commission Staff provided a copy of the proposed revised certificate for CCN No. 10533.
12. The approved map and certificates referenced in Findings of Fact No. 8, 9, 10 and 11 are attached to this Notice.
13. On May 5, 2017, Order No 4, was issued, admitting evidence in this proceeding.

Notice

14. Notice of the proceeding was published in the *Texas Register* on December 16, 2016.

Informal Disposition

15. The only parties to this application are Commission Staff, Mercedes and North Alamo.
16. At least fifteen days have passed since the completion of all notice requirements.
17. No party is opposed to the application and no hearing is necessary.

II. Conclusion of Law

1. The Commission has jurisdiction over this matter pursuant to TWC §§ 13.041 and 13.255.
2. Mercedes is a municipally-owned utility as defined in TWC § 13.002(13).

3. Mercedes is entitled to approval of the application having demonstrated that the service area requested in this application is within Mercedes' corporate limits and having provided a copy of the agreement between North Alamo and Mercedes, which states that Mercedes may serve all of the requested area, consistent with TWC § 13.255(a).
4. The application was processed in accordance with TWC § 13.255 and 16 Texas Administrative Code § 24.120 (TAC).
5. Under TWC § 13.257(r) and 16 TAC § 24.106(e), Mercedes and North Alamo are required to record a certified copy of the approved CCNs and map, along with a boundary description of the service area, in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
6. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

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

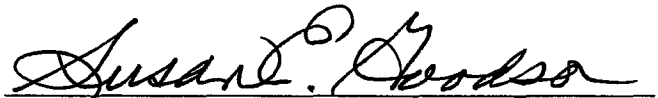
1. The application, as amended, is approved.
2. Mercedes' water CCN No. 12811 is amended consistent with this Notice.
3. Mercedes shall serve every customer and applicant for service within the area certificated under CCN No. 12811, and such service shall be continuous and adequate.
4. Mercedes shall comply with the recording requirements in TWC § 13.257 for the area in Hidalgo County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this notice.
5. North Alamo's CCN No. 10553 is amended consistent with this Notice.
6. North Alamo shall serve every customer and applicant for service within the area still certificated under CCN No. 10553, and such service shall be continuous and adequate.
7. North Alamo shall comply with the recording requirements in TWC § 13.257 for the area in Hidalgo County affected by the application and submit to the Commission evidence of

the recording no later than 31 days after receipt of this notice.

8. 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 herein, are hereby denied.

Signed at Austin, Texas on the 5th day of May 2017.

PUBLIC UTILITY COMMISSION OF TEXAS


SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE



Public Utility Commission of Texas

By These Presents Be It Known To All That
City of Mercedes

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, City of Mercedes is entitled to this

Certificate of Convenience and Necessity No. 12811

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: 46612 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 Mercedes, 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 5th day of May 2017.



Public Utility Commission of Texas

By These Presents Be It Known To All That

North Alamo Water Supply Corporation

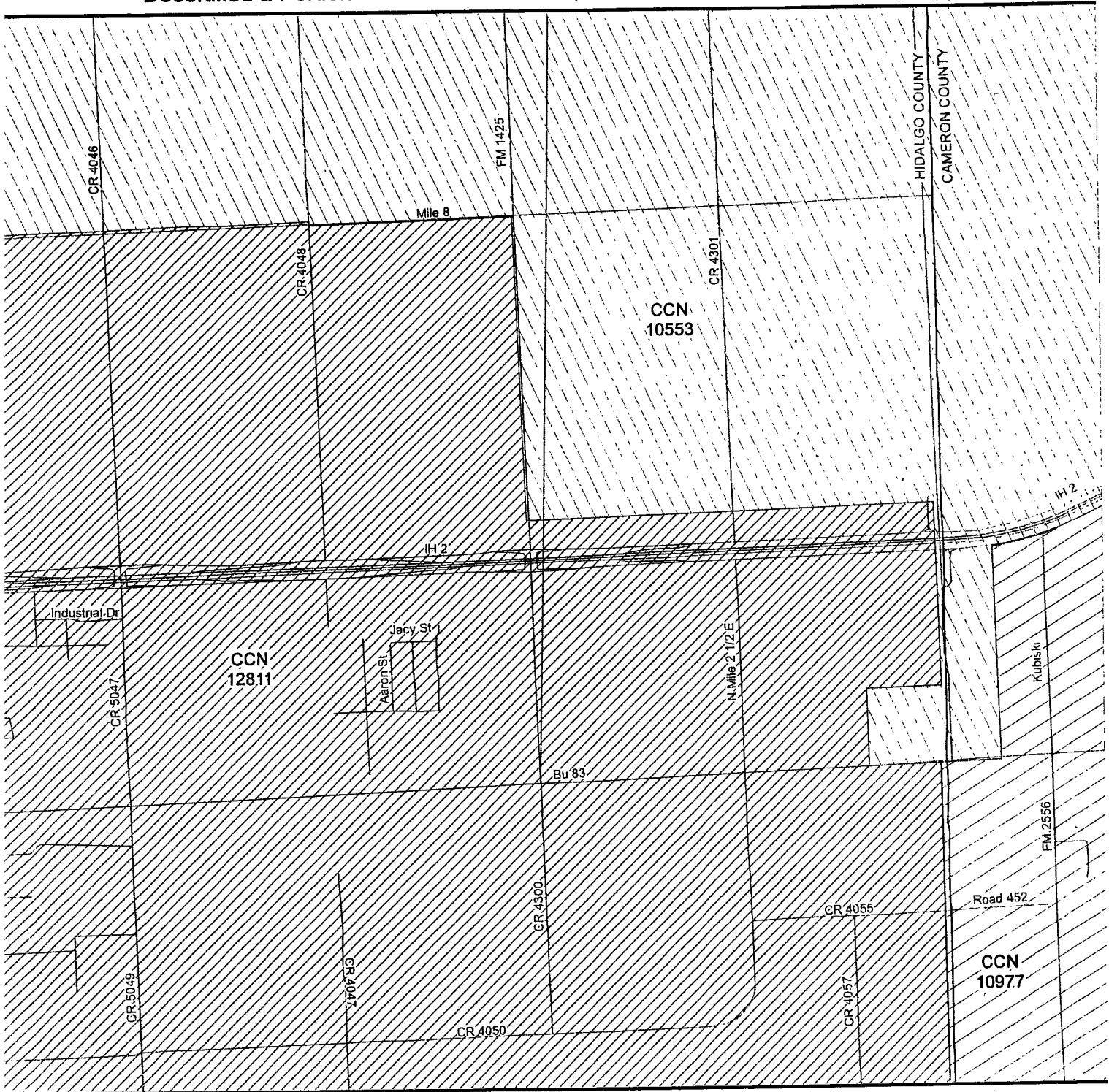
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, North Alamo Water Supply Corporation is 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. 46612 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 5th day of May 2017.

City of Mercedes
Portion of Water CCN No. 12811
PUC Docket No. 46612
Amended CCN No. 12811 and.
Decertified a Portion of North Alamo WSC, CCN No. 10533 in Hidalgo County



Water CCN

-  12811 - City of Mercedes
-  10553 - North Alamo WSC
-  10977 - City of La Feria

