

Control Number: 46634



Item Number: 8

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APPLICATION OF GREEN VALLEY §  
SPECIAL UTILITY DISTRICT AND §  
EAST CENTRAL SPECIAL UTILITY §  
DISTRICT FOR APPROVAL UNDER §  
TWC § 13.248 TO AMEND §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN BEXAR §  
COUNTY. §

PUBLIC UTILITY COMMISSION  
OF TEXAS

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PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION ON COMPLETENESS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Completeness in response to Order No. 1 and would show the following:

**I. BACKGROUND**

On December 2, 2016, Green Valley Special Utility District (GVSUD) and East Central Special Utility District (ECSUD) filed an application, pursuant to Tex. Water Code § 13.248 (West 2016)(TWC), for approval of an agreement that would amend their water certificates of convenience and necessity (CCN) in Bexar County. GVSUD holds water CCN no. 10646 and ECSUD holds water CCN no 10655.

On December 22, 2016, the administrative law judge (ALJ) issued Order No. 2 finding the application incomplete and directed Staff to file a recommendation regarding this application and a procedural schedule by January 24, 2016. Therefore, Staff's Recommendation is timely filed.

**II. RECOMMENDATION ON COMPLETENESS**

Staff has reviewed the application, and based upon the attached memorandum from Jonathan Ramirez and Kristy Nguyen of the Water Utility Division, recommends that the application be found administratively complete. Staff further recommends the Applicants:

- 1) Provide notice of the application to the following:
  - a) any districts, utilities, and cities within two (2) miles of the proposed area;
  - b) the county judge of each county and each groundwater conservation district that is wholly or partly included in the proposed area to be certified;

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- c) each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the proposed area to be certified;
  - d) any customers transferred, and
  - e) publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Bexar County.
- 2) Include copy of a map showing the proposed service area with the individual notices to neighboring utilities and other affected parties.
- 3) Provide notice to the following entities:
- City of Schertz (CCN 10645)
  - Green Valley SUD (CCN 10646)
  - East Central WSC (CCN 10655)
  - Canyon Regional Water Authority
  - San Antonio River Authority
  - City of Saint Hedwig
  - City of San Antonio
  - City of Schertz
  - Edwards Aquifer Authority
  - Judge Nelson W. Wolff of Bexar County

### III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for Applicant to file proof of notice with the Commission	February 23, 2016
Deadline for Staff to file a recommendation on sufficiency of notice	Within 10 days of Applicant filing proof of completed notice with the Commission
Deadline to intervene	30 days after notice is issued

### IV. CONCLUSION

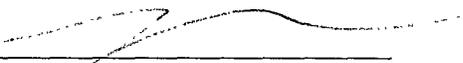
Staff respectfully requests that the ALJ issue an order consistent with Staff's recommendations.

PUBLIC UTILITY COMMISSION  
LEGAL DIVISION

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



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**DOCKET NO. 46634**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on January 24, 2016, in accordance with P.U.C. Procedural Rule 22.74.



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Landon J. Lill

## PUC Interoffice Memorandum

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**To:** Landon Lill, Attorney  
Legal Division

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

**From:** Jonathan Ramirez, Financial Analyst  
Kristy Nguyen, GIS Specialist  
Water Utilities Division

**Date:** January 23, 2017

**Subject:** **Docket No. 46403:** *Application of Green Valley Special Utility District and East Central Special Utility District for Approval under TWC §13.248 to Amend Certificates of Convenience and Necessity in Bexar County*

On December 2, 2016, Green Valley Special Utility District (Green Valley SUD) and East Central Special Utility District aka East Central Water Supply Corporation (East Central SUD), (collectively Applicants) filed an application under Texas Water Code § 13.248 for approval of a service agreement that would amend their water Certificates of Convenience and Necessity (CCN) Nos. 10646 (Green Valley SUD) and 10655 (East Central SUD) in Bexar County.

A Staff review of the information filed by the Applicants found that it is sufficient in the required application and mapping information. Therefore, Staff recommends that the application be deemed sufficient for filing and administratively complete.

## *Notice for Publication*

### NOTICE OF APPLICATION OF GREEN VALLEY SPECIAL UTILITY DISTRICT AND EAST CENTRAL SPECIAL UTILITY DISTRICT AKA EAST CENTRAL WATER SUPPLY CORPORATION FOR APPROVAL OF A SERVICE AGREEMENT IN BEXAR COUNTY, TEXAS.

Green Valley Special Utility District and East Central Special Utility District aka East Central Water Supply Corporation have filed an application with the Public Utility Commission of Texas for approval of a service agreement pursuant to TWC §13.248 in Bexar County.

The proposed utility service area is located approximately 5.5 miles southeast of downtown Schertz, Texas, and is generally bounded on the north by .5 miles south of I10; on the east by FM 1518; on the south by Abbott Road; and on the west by .6 miles east of Freudenberg Rd.

.28 acres will be transferred from Green Valley SUD (CCN No. 10646) to East Central SUD aka East Central WSC (CCN No. 10655) and 55 acres will be transferred from East Central SUD aka East Central WSC (CCN No. 10655) to Green Valley SUD (CCN No. 10646). There are 0 current customers in the requested areas.

A map of the proposed area may be viewed at: 529 S Center St, Marion, TX 78124.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221

**Notice to Neighboring Systems, Customers and Cities**

**NOTICE OF APPLICATION OF GREEN VALLEY SPECIAL UTILITY DISTRICT AND EAST CENTRAL SPECIAL UTILITY DISTRICT AKA EAST CENTRAL WATER SUPPLY CORPORATION FOR APPROVAL OF A SERVICE AGREEMENT IN BEXAR COUNTY, TEXAS.**

To: \_\_\_\_\_  
(Name of Neighboring systems, Customers, cities)  
  
\_\_\_\_\_  
(Address)  
  
\_\_\_\_\_  
(City                      State                      Zip)

Date Notice Mailed: \_\_\_\_\_, 2017

Green Valley Special Utility District and East Central Special Utility District aka East Central Water Supply Corporation have filed an application with the Public Utility Commission of Texas for approval of a service agreement pursuant to TWC §13.248 in Bexar County.

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**See enclosed map of the proposed service area.**

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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Si desea informacion en Espanol, puede llamar al 1-512-936-7221

# PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND  
AFFECTED PARTIES  
DOCKET NO. 46634

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice  
to the following entities and customers:

DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is, owner,  
member of partnership, title of officer of corporation, or other authorized representative of applicant);  
that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar  
with the notices given with this application, and have complied with all notice requirements in the  
application and application acceptance letter; and that all such statements made and matters set for  
therein are true and correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or  
its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to  
certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_

# PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT  
DOCKET NO. 46634

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_ who being by me duly sworn, deposes and that (s)he is the

\_\_\_\_\_ of the \_\_\_\_\_  
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in \_\_\_\_\_  
(COUNTY/COUNTIES)

and generally circulated in \_\_\_\_\_, Texas;  
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

\_\_\_\_\_  
(DATES)

\_\_\_\_\_  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_