



Control Number: 46719



Item Number: 8

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APPLICATION OF CITY OF
HASLET TO AMEND A WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY AND DECERTIFY
A PORTION OF CITY OF FORT
WORTH'S SERVICE AREA IN
TARRANT COUNTY

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PUBLIC UTILITY COMMISSION

OF TEXAS

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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Sufficiency of Notice in response to Order No. 2.

I. BACKGROUND

On January 3, 2017, the City of Haslet (City) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12856 to provide water utility service in Tarrant County and to decertify a portion of the City of Fort Worth's service area in Tarrant County. On January 30, 2017, the administrative law judge (ALJ) issued Order No. 2, which deemed the application administratively complete. The ALJ ordered the City to file affidavits of notice by March 13, 2017 and for Staff to file a recommendation on notice and an updated procedural schedule within 10 days of the City filing proof of completed notice. The City filed proof of notice on March 27, 2017.

II. SUFFICIENCY OF NOTICE.

Notice requirements for CCN applications are governed by Tex. Water Code Ann. § 13.246 and 16 Tex. Admin. Code § 24.106 (TAC). In this case, the City has submitted an affidavit indicating that notice was given in the Fort Worth Star Telegram, which is regularly published in Tarrant County and generally circulated in Tarrant, Wise, Hood, and Johnson Counties. The City also provided a copy of the notice in the newspaper. The notice was published notice in the newspaper on February 25, 2017 and March 4, 2017.

Additionally, the City submitted an affidavit that notice was mailed landowners on March 1, 2017. The City included copies of those notices along with a map of the proposed service

area. Based upon the attached memorandum of Jolie Mathis and Gary Horton, Jr. of the Commission's Water Utilities Division, Staff concludes that the City has complied with all of the notice requirements and recommends that notice be found sufficient.

III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	March 4, 2017
Deadline for intervention	April 3, 2017 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if Applicable), to Crystal Springs for review and consent	June 2, 2017
Deadline for Applicant to file signed consent forms with the Commission	June 16, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	June 23, 2017
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	June 30, 2017

IV. CONCLUSION

Staff recommends that the Application and proposed notice be approved. Additionally, Staff recommends that the proposed procedural schedule be adopted.

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on March 1, 2017, and published on February 25 and March 4, 2017. Thirty days after March 4, 2017 (the latest date) is April 3, 2017.

Date: April 4, 2017

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney



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DOCKET NO. 46719

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 4, 2017,
in accordance with 16 TAC § 22.74.



Vera Dygert

PUC Interoffice Memorandum

To: Vera Dygert, Attorney
Legal Division

Through: Lisa Fuentes, Manager

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

SUBJECT: **Docket No. 46719**, *Application of the City of Haslet to Amend a Certificate of Convenience and Necessity and Decertify a Portion of City of Fort Worth's Service Area Certificate of Convenience and Necessity in Tarrant County*

DATE: April 3, 2017

On January 3, 2017, the City of Haslet filed an application to amend its water certificate of convenience and necessity (CCN) No. 12856 and to decertify a portion of the City of Fort Worth's service area in Tarrant County. The City of Haslet seeks to add approximately 168 acres of service area with zero current customers.

Order No. 2 required the City of Haslet to provide notice consistent with the memorandum of Jolie Mathis and Gay Horton, Jr. of the Commission's Water Utility Regulation Division, using the attached forms. Commission Staff recommended that the City of Haslet be required to submit signed affidavits indicating that notice was given, along with a copy of the actual notices issued, within 30 days of the date of notice and last publication date.

In response to Order No. 2, the City of Haslet filed affidavits of notice; including a copy of the individual notice issued with the accompanying map, and the published notice, on March 27, 2017. This was provided consistent with the Commission Staff's January 27, 2017 recommendation. Therefore, Staff recommends the information be deemed sufficient.