



Control Number: 46835



Item Number: 58

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APPLICATION OF THE CITY OF §
PRINCETON TO AMEND ITS §
CERTIFICATES OF CONVENIENCE §
NECESSITY AND TO DECERTIFY A §
PORTION OF ALTOGA WATER §
SUPPLY CORPORATION'S WATER §
SERVICE AREA IN COLLIN COUNTY §

BEFORE THE PUBLIC UTILITY

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COMMISSION OF TEXAS

**JOINT MOTION TO ADMIT EVIDENCE AND
PROPOSED NOTICE OF APPROVAL**

COMES NOW the City of Princeton ("Princeton" or "City") together with the Staff ("Staff") of the Public Utility Commission of Texas ("Commission"), representing the public interest, (collectively, the Parties), and files this Joint Motion to Admit Evidence and Proposed Notice of Approval. In support thereof, the Parties show the following:

I. BACKGROUND

On February 6, 2017, the City filed an application to amend its water and sewer certificates of convenience and necessity ("CCNs") for the City in Collin County. On February 10, 2017, the Commission issued notice of the City's application. On February 22, 2017, Staff filed a recommendation that the application be found administratively complete. Order 11, issued on February 23, 2018, found the application administratively complete and set a procedural schedule including the requirement that the parties file joint findings of fact and conclusions of law. No hearing has been requested.

II. JOINT MOTION TO ADMIT EVIDENCE

The City moves to admit the following into the record evidence in this proceeding:

1. Application, filed on February 6, 2017;
2. Notice for Texas Register, filed on February 10, 2017;

3. Acknowledgement of Receipt for Texas Register filed on February 15, 2017;
4. City's Amended CCN Application, filed on October 18, 2017;
5. City's Amended CCN Application Supplement, filed on October 25, 2017;
6. City's Response to Order No. 9, filed on January 18, 2018;
7. City's Proof of Notice, filed on April 18, 2018;
8. City's Amended Proof of Notice, filed April 23, 2018;
9. City's Submission of Revised Sewer CCN Map, filed on July 25, 2018;
10. The consent form to the final map and certificates, filed on September 7, 2018; and
11. Commission Staff recommendation that the Application be approved, along with the attached final map and certificates, filed September 14, 2018.

III. JOINT PROPOSED NOTICE OF APPROVAL

The Parties move for adoption of the attached Joint Proposed Notice of Approval included as Attachment A, which would approve the Application to amend water and sewer CCN Nos. 13195 and 21057 in Collin County, Texas.

IV. CONCLUSION

The Parties respectfully request that the Commission grant the Motion to Admit Evidence and adopt the attached Joint Proposed Notice of Approval.

Respectfully submitted,

Russell Rodriguez Hyde Bullock, L.L.P.
1633 Williams Drive, Building 2, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

ATTORNEY FOR THE CITY OF PRINCETON

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September 2018, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

Via Electronic Mail & Facsimile

Landon J. Lill
Attorney – Legal Division
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, TX 78701
(512) 936-7268 Fax
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/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.

**ATTACHMENT A
PUC DOCKET NO. 46835**

APPLICATION OF THE CITY OF	§	BEFORE THE PUBLIC UTILITY
PRINCETON TO AMEND ITS	§	
CERTIFICATES OF CONVENIENCE	§	
NECESSITY AND TO DECERTIFY A	§	
PORTION OF ALTOGA WATER	§	
SUPPLY CORPORATION'S WATER	§	COMMISSION OF TEXAS
SERVICE AREA IN COLLIN COUNTY	§	

JOINT PROPOSED NOTICE OF APPROVAL

This Notice of Approval addresses the application of the City of Princeton, Texas ("City" or "Princeton"), to amend its water and sewer certificates of convenience and necessity ("CCN") and to decertify a portion of the Altoga Water Supply Corporation's CCN in Collin Counties. The Staff ("Staff") of the Public Utility Commission of Texas ("Commission") recommended approval of this application on September 18, 2018. The application is approved.

I. FINDINGS OF FACT

1. On February 6, 2017, the City filed an application to amend the water certificates of convenience and necessity for the City in Collin County.
2. On February 10, 2017, the Commission issued notice of the City's application.
3. On February 22, 2017, Staff filed a recommendation that the application be found administratively complete.
4. Order 11, issued on February 23, 2018, found the application administratively complete and set a procedural schedule including the requirement that the parties file joint findings of fact and conclusions of law.
5. On April 30, 2018, Staff filed a recommendation that notice be deemed sufficient.
6. On May 11, 2018, Order No. 13 was issued finding notice sufficient.
7. On May 2, 2018, and July 17, 2018, Suzy O. Kemp opted out of the sewer CCN.
8. On July 25, 2018, the City amended its application to accommodate Ms. Kemp's opt out

request.

9. On September 7, 2018, the City filed a consent form to the final map and CCNs that Staff transmitted to the City by email.
10. On September 14, 2018, Staff filed a final recommendation for approval of the application.
11. The final maps and CCN certificated referenced in Findings of Fact No. 6 are attached to this notice of approval.
12. On September 21, 2018, the parties filed a proposed notice of approval and joint motion to admit the following evidence into the record of this proceeding:
 - a. Application, filed on February 6, 2017;
 - b. Notice for Texas Register, filed on February 10, 2017;
 - c. Acknowledgement of Receipt for Texas Register filed on February 15, 2017;
 - d. City's Amended CCN Application, filed on October 18, 2017;
 - e. City's Amended CCN Application Supplement, filed on October 25, 2017;
 - f. City's Response to Order No. 9, filed on January 18, 2018;
 - g. City's Proof of Notice, filed on April 18, 2018;
 - h. City's Amended Proof of Notice, filed April 23, 2018;
 - i. City's Submission of Revised Sewer CCN Map, filed on July 25, 2018;
 - j. The consent form to the final map and certificates, filed on September 7, 2018; and
 - k. Commission Staff recommendation that the Application be approved, along with the attached final map and certificates, filed September 14, 2018.

Notice

13. Notice was published in the Texas Register on February 10, 2018.

Evidentiary Record

14. On _____, Order No. _____ was issued, admitting evidence into the record of this proceeding.

Informal Disposition

15. No parties requested a hearing.
16. Applicant and Commission Staff are the only parties to this proceeding.
17. No issues of law or fact remain disputed by any party.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over these matters pursuant to Tex. Water Code Ann. §13.241.
2. Princeton is a retail public utility as defined in Tex. Water Code § 13.002(19) and 16 Texas Administrative Code § 24.3(59).
3. Notice of the Application was provided in compliance with TWC § 13.246 and 16 TAC §24.106.
4. The application meets the requirements set forth in TWC §§ 13.241, 13.244, and 13.246 and 16 TAC § 24.102.
5. After considering the factors in TWC § 13.246 and 16 TAC § 24.105, Princeton is entitled to approval of the water and sewer CCN.
6. Under TWC § 13.257(r)-(s) and 16 TAC § 24.106(e), Princeton is required to record a certified copy of the approved CCN 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.
7. The requirements for informal disposition pursuant to 16 TAC § 22.6 have been met in this proceeding.

III. ORDERING PARAGRAPHS

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

1. The Application is approved.
2. Princeton's water and sewer CCN Nos. 13195 and 21057, respectively, in Collin County, Texas is hereby amended consistent with this Notice.
3. Princeton shall comply with the recording requirements in TWC § 13.257(r)-(s) for the area in Collin County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
4. Princeton shall serve every customer and applicant for service within the areas certified under water and sewer CCN Nos. 13195 and 21057, respectively, and such service shall be continuous and adequate.
5. 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 granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the ____ day of _____, 2018.

PUBLIC UTILITY COMMISSION OF TEXAS

ADMINISTRATIVE LAW JUDGE