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DOCKET NO. 46835

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

PUBLIC UTILITY COMMISSION

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PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

COMMISSION STAFF'S CORRECTIONS TO THE NOTICE OF APPROVAL

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files these Corrections to the Notice of Approval. In support thereof, Staff shows the following:

I. BACKGROUND

On February 6, 2017, the City of Princeton (Applicant) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 13195 and sewer CCN No. 21057 and to decertify a portion of Altoga Water Supply Corporation's (Altoga WSC's) CCN in Collin County.

On May 23, 2018, North Collin SUD and Altoga WSC filed a request for hearing and motion to intervene.

On July 2, 2018, Applicant amended the water CCN portion of its application to reflect boundary changes based on an agreement between Applicant, Altoga WSC, and North Collin Special Utility District (North Collin SUD). As a result of the agreement, instead of the Applicant pursuing decertification of water service area certificated to Altoga WSC, Applicant agreed to request dual-certification in the specified water service area. During the pendency of the present application, Altoga WSC's CCN was transferred to North Collin SUD. Consequently, as a result of the aforementioned transfer, Applicant's application ultimately sought dual-certification in the specified water service area with North Collin SUD.

On May 15, 2019, the Commission administrative law judge (ALJ) issued a notice of approval in this docket. Under the Commission rules, specifically, 16 Texas Administrative Code (TAC) § 22.35(c)(1), parties may file suggested corrections to a notice of approval within fifteen

(15) days of the issuance of such notice. Therefore, Staff's suggested corrections in this pleading are timely filed.¹

II. STAFF'S PROPOSED CORRECTIONS

Staff proposes the following corrections to the notice of approval:

- Modify Finding of Fact No. 42 to correct one of the dates that Suzy O. Kemp requested to opt-out of the sewer CCN.

42. On May 2, 2018, and ~~July 17, 2018~~ July 16, 2018, Suzy O. Kemp opted out of the sewer CCN.

- Modify Finding of Fact No. 47 to clarify that two entities did request a hearing, but later withdrew their requests. Specifically, on May 23, 2018, North Collin SUD and Altoga WSC filed a request for hearing and motion to intervene. On July 2, 2018, Applicant, North Collin SUD, and Altoga WSC filed a joint motion stating that all issues between the entities were resolved. In addition, within the aforementioned filing, North Collin SUD and Altoga WSC withdrew their motions to intervene before the Commission ALJ issued a ruling on their motions.

47. ~~No party~~ North Collin SUD and Altoga WSC requested a hearing. Following an agreement between the Applicant and the two aforementioned entities, the requests were withdrawn. Therefore, no hearing is needed.

- Modify Conclusion of Law No. 9 to clarify the documents to be filed in the real property records of Collin County. Under Texas Water Code (TWC) § 13.257(r), the utility service provider is to record both "a certified copy of the map of the certificate of public

¹ Fifteen (15) days from the date the notice of approval was issued (May 15, 2019) is Thursday, May 30, 2019.

convenience and necessity and of any amendment to the certificate as contained in the utility commission's records.”²

9. Princeton must record a certified copy of the approved maps ~~for the~~ and amended certificates ~~amendment~~, along with a boundary description of the service areas, in the real property records of Collin County within 31 days of receiving this Notice of Approval and submit to the Commission evidence of the recording in accordance with TWC § 13.257(r) and (s).

- In reference to the revised certificates of convenience and necessity identified in Ordering Paragraphs Nos. 1 and 2, and in order to assist Applicant in fulfilling the recording requirements mandated in Ordering Paragraph No. 4, Staff proposes that Applicant's final amended sewer certificate No. 21057 be attached to the notice of approval.

III. CONCLUSION

Staff respectfully requests that the Commission ALJ adopt the corrections proposed above.

² TWC § 13.257(r).

Dated: May 29, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 29, 2019, in accordance with 16 TAC § 22.74.



Richard Nemer