



Control Number: 46986



Item Number: 10

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APPLICATION OF LIL
COUNTRYSIDE WSC TO OBTAIN A
WATER CERTIFICATE OF
CONVENIENCE AND NECESSITY
IN HUNT COUNTY

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PUBLIC UTILITY COMMISSION

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COMMISSION STAFF'S RECOMMENDATION ON NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Notice in response to Order No. 3 and would show the following:

I. BACKGROUND

On March 23, 2017, Lil Countryside WSC (Lil Countryside) filed an application to obtain a new water certificate of convenience and necessity (CCN). Lil Countryside seeks this CCN to operate a system that has been abandoned.

On May 10, 2017, Order No. 3 was issued, directing Lil Countryside to provide notice and establishing a deadline of 10 days from the filing of proof of notice documentation for Staff to file a recommendation on the sufficiency of notice. Lil Countryside filed an affidavit of notice on June 8, 2017. Ten days from June 8 is Sunday, June 18, 2017. This pleading is therefore timely filed.

II. NOTICE SUFFICIENCY

As detailed in the attached memorandum from Andrew Novak in the Commission's Water Utility Regulation Division, Staff has reviewed Lil Countryside's filing and recommends that Lil Countryside's notice be found insufficient. Specifically, Lil Countryside did not include proof that notice was published in a newspaper of general circulation in Hunt County. Lil Countryside also did not include proof that notice was provided to the Sabine River Authority. In addition, Lil Countryside did not include a copy of the actual mailed notice provided.

III. PROCEDURAL SCHEDULE

Staff recommends the notice be found deficient. Staff therefore recommends that a deadline of July 19, 2017 be established for Lil Countryside to file information correcting the deficiencies identified by Staff. Staff further recommends that a deadline of 10 days from the filing of supplemental notice documents be established for Staff to file a supplemental recommendation on proof of notice and propose a procedural schedule, if appropriate.

IV. CONCLUSION

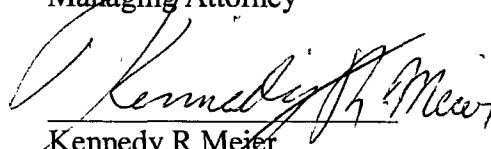
For the reasons detailed above, Staff recommends that Lil Countryside's proof of notice be found deficient and that the procedural schedule proposed above be adopted.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

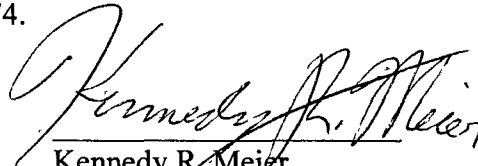

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DOCKET NO. 46986

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 15th of June, 2017 in accordance with 16 TAC § 22.74.


Kennedy R. Meier

PUC Interoffice Memorandum

To: Kennedy Meier, Attorney
Legal Division

Through: Lisa Fuentes, Manager
Water Utilities Division

From: Andrew Novak, Financial Analyst
Water Utilities Division

Date: June 15, 2017

Subject: **Docket No. 46986:** *Application of the Lil Countryside WSC to obtain a Water Certificate of Convenience and Necessity in Hunt County*

On March 23, 2017, Lil Countryside WSC (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain a water Certificate of Convenience and Necessity (CCN) in Hunt County, Texas pursuant to Texas Water Code Ann. (TWC), §§ 13.242 to 13.250 and the 16 Tex. Admin Code (TAC) §§ 24.101 to 24.107. The requested area includes approximately 573 acres and 15 current customers.

After a Staff review of the affidavit of notice filed on June 8, 2017, Staff recommends the notice be deemed insufficient. In order to correct the notice deficiencies, Staff recommends the Applicant be ordered to do the following:

- 1) Publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Hunt County.
- 2) Provide correct notice of the application to Sabine River Authority.

The Applicant must include copy of a map showing the proposed service area with the individual notice to Sabine River Authority.

The Applicant must return a copy of the actual notice sent, the map that was sent with the individual notice, and the signed affidavit that the notice was given.