

Control Number: 46986



Item Number: 17

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DOCKET NO. 46986

RECEIVED

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

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PUBLIC UTILITY COMMISSION

2017 SEP 29 AM 10:59  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

### COMMISSION STAFF'S THIRD RECOMMENDATION ON NOTICE

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Third Recommendation on Notice in response to Order No. 5 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 June 8, 2017, Lil Countryside filed proof of mailed notice. On July 18, 2017, Lil Countryside filed a request for a good cause exception from the requirement to provide published notice. On July 21, 2017, Lil Countryside filed additional documentation of mailed notice.

On August 1, 2017, Order No. 5 was issued, deeming Lil Countryside's proof of mailed notice deficient, granting Lil Countryside's request for a good cause waiver of the requirement to provide published notice, directing Lil Countryside to correct the deficiencies identified by Staff, and establishing a deadline of 10 days from the filing of supplemental proof of notice documentation for Staff to file a recommendation on the sufficiency of notice. On September 19, 2017, Lil Countryside filed supplemental documentation regarding proof of mailed notice. Ten days from September 19 is September 29, 2017. This pleading is therefore timely filed.

#### II. RECOMMENDATION

As detailed in the attached memorandum from Andrew Novak and Patty Garcia in the Commission's Water Utility Regulation Division, Staff has reviewed the supplemental

documentation filed by Lil Countryside and recommends that Lil Countryside's notice be deemed sufficient.

### **III. PROCEDURAL SCHEDULE**

Staff recommends the notice be found sufficient. Staff therefore proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Notice completed	June 6, 2017
Deadline for intervention	July 6, 2017 <sup>1</sup>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	October 13, 2017
Deadline for Applicant to file signed consent forms with the Commission	October 27, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	November 3, 2017
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	November 10, 2017

### **IV. CONCLUSION**

For the reasons detailed above, Staff recommends that Lil Countryside's notice be deemed sufficient and that the procedural schedule proposed above be adopted for continued processing of this docket.

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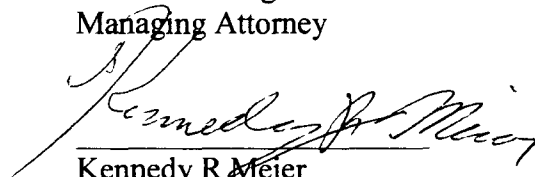
<sup>1</sup> Under 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on June 6, 2017, and the requirement to publish notice was waived for good cause by Order No. 5 on August 1, 2017. Therefore, 30 days after June 6, 2017 is July 6, 2017.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

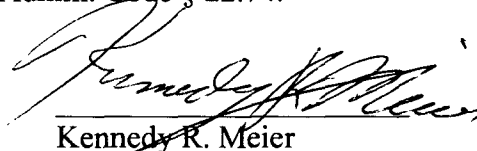


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**DOCKET NO. 46986**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 29<sup>th</sup> of September, 2017 in accordance with 16 Tex. Admin. Code § 22.74.



Kennedy R. Meier

## PUC Interoffice Memorandum

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**To:** Kennedy Meier, Attorney  
Legal Division

**Through:** Lisa Fuentes, Manager  
Water Utility Regulation Division

**From:** Andrew Novak, Financial Analyst  
Patty Garcia, Engineering Specialist  
Water Utility Regulation Division

**Date:** September 29, 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.

In response to Commission Order No. 3, the Applicant provided public notice to customers, neighboring systems, and affected parties in Hunt County on June 6, 2017. The requirement for published notice was waived. The affidavits of notice were filed with the Commission on June 8, and September 19, 2017. Staff has reviewed the notice documents and recommends they be deemed sufficient.