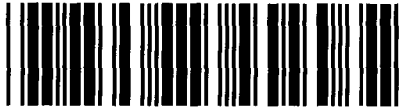


Control Number: 46986



Item Number: 5

Addendum StartPage: 0

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 APR 24 11:10 AM
 OF TEXAS
 PUBLIC UTILITY COMMISSION
 FILING CLERK

COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Administrative Completeness in response to Order No. 1 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 March 28, 2017, Order No. 1 was issued, establishing a deadline of April 24, 2017 for Staff to file a recommendation on the administrative completeness of the application and notice and propose a procedural schedule. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Andrew Novak in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete and accepted for filing.

III. NOTICE

As detailed in the attached memorandum, Staff recommends that Lil Countryside be directed to use the attached notice forms to publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Hunt County and to provide notice to:

- a) any districts, utilities, and cities within two miles of the proposed area;
- b) each groundwater conservation district and the county judge of each county that is wholly or partly included in the proposed area to be certified;

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- c) each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the proposed area to be certified;
- d) each landowner who owns a tract of land that is at least 25 acres and is wholly or partly located in the proposed area to be certified;
- e) Able Springs WSC;
- f) Aqua Texas Inc;
- g) Cash SUD;
- h) the City of Quinlan;
- i) the Hunt County Judge;
- j) Poetry WSC;
- k) the Sabine River Authority;
- l) Sunrise MUD of Hunt County;
- m) Union Valley Ranch MUD of Hunt County; and
- n) Whispering Oaks Water Coop.

Staff further recommends that Lil Countryside be directed to include a copy of a map showing the proposed service area with the individual notices to neighboring utilities, other affected parties, and each landowner. Staff also recommends that Lil Countryside be directed to use the attached affidavits to file proof of notice according to the procedural schedule proposed below.

IV. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for Lil Countryside to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties and published in a newspaper of general circulation	June 8, 2017
Deadline for Staff to file a recommendation on sufficiency of notice	Within 10 days of Lil Countryside filing proof of completed notice with the Commission

Deadline to intervene	30 days after notice is issued
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V. CONCLUSION

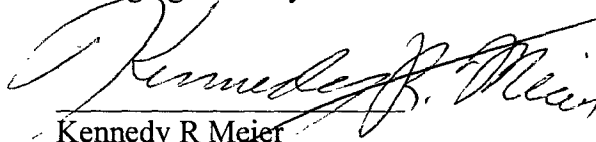
For the reasons detailed above, Staff recommends that the application be found administratively complete, that Lil Countryside be directed to provide notice as detailed above and in the attached memorandum, and that the procedural schedule proposed above be adopted.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

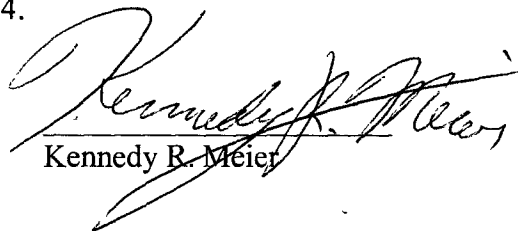


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kennedy.meier@puc.texas.gov

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 24th of April, 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: April 24, 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.

A Staff review of the original filing on March 23, 2017, found that the information is sufficient for filing and recommends the application be deemed administratively complete. Staff further recommends the following:

- 1) The Applicant be ordered to provide notice of the application to the following:
 - a) any districts, utilities, and cities within two (2) miles of the proposed area;
 - b) the county judge of each county and each groundwater conservation district that is wholly or partly included in the proposed area to be certified;
 - c) each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the proposed area to be certified;
 - d) landowners who own a tract of land that is at least 25 acres and is wholly or partly located in the proposed area to be certified. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN is located; and
 - e) publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Hunt County.
- 2) The applicant also provide correct notice of the application to the following entities:
 - Able Springs WSC (CCN No. 10819)
 - Aqua Texas Inc (CCN No. 13201)
 - Cash SUD (CCN No. 10824)
 - City of Quinlan (CCN No. 10925)
 - Hunt County Judge
 - Poetry WSC (CCN No. 10815)
 - Sabine River Authority
 - Sunrise MUD of Hunt County
 - Union Valley Ranch MUD of Hunt County
 - Whispering Oaks Water Coop (CCN No. 11680).

- 3) The Applicant include copy of a map showing the proposed service area with the individual notices to neighboring utilities, and other affected parties and each landowner. It is the Applicant's burden to provide an accurate map delineating the proposed area with each individual notice. Information related to districts including addresses can be obtained from the TCEQ's web site located at <http://www14.tceq.texas.gov/iwud/>.
- 4) The Applicant return by June 8, 2017, a copy of the actual notice sent, the map that was sent with the individual notice, and the attached signed affidavit that the notice was given. It is recommended that the Applicant use the attached notice and affidavits to meet these requirements.

Notice to Neighboring Systems, Cities and Landowners

**NOTICE OF APPLICATION TO OBTAIN A CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) FOR THE PROVISION OF WATER SERVICE IN HUNT COUNTY, TEXAS**

To: _____ Date Notice Mailed: ____, 2017
(Name of neighboring systems, cities and landowners)

(Address)

(City State Zip)

Lil Countryside Water Supply Corporation has submitted an application with the Public Utility Commission of Texas to obtain a CCN to provide water service in Hunt County.

The proposed utility area is located within approximately 5 miles Southwest of downtown Quinlan, Texas, and is generally bounded on the north by CR 2400; on the east by CR 2316; on the south by CR 2316 and CR 2320; and on the west by CR 2400.

The total area being requested includes approximately 573 acres and serves 15 current customers.

See enclosed map of the proposed service area.

You may request a public hearing. A request for a public hearing must be in writing and include: (1) your name, mailing address, and daytime telephone number; (2) the Utility name, docket number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application which would satisfy your concerns and cause you to withdraw your request for a hearing.

Hearing requests, comments or requests to intervene should be filed with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written request will receive notice if a hearing is scheduled.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large scale map and a metes and bounds description of the landowner's tract of land.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES, CUSTOMERS AND AFFECTED PARTIES
DOCKET NO. 46986

STATE OF TEXAS

COUNTY OF _____

has provided individual notice to the following:

DATE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is owner,
member or partnership, title of officer of corporation, or other authorized representative of applicant);
that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar
with the notices given with this application, and have complied with all notice requirements in the
application and application acceptance letter; and that all such statements made and matters set forth
therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or
its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 2017 to certify which
witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

NOTICE FOR PUBLICATION

NOTICE OF APPLICATION TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) FOR THE PROVISION OF WATER AND SEWER SERVICE IN HUNT COUNTY, TEXAS

Lil Countryside Water Supply Corporation has submitted an application with the Public Utility Commission of Texas to obtain a CCN to provide water service in Hunt County.

The proposed utility area is located within approximately 5 miles Southwest of downtown Quinlan, Texas, and is generally bounded on the north by CR 2400; on the east by CR 2316; on the south by CR 2316 and CR 2320; and on the west by CR 2400.

The total area being requested includes approximately 573 acres and serves 15 current customers.

A copy of the map may be viewed at: 9077 PR 2329, Terrell, TX, 75160, 469/774-9295.

You may request a public hearing. A request for a public hearing must be in writing and include: (1) your name, mailing address, and daytime telephone number; (2) the Utility name, docket number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application which would satisfy your concerns and cause you to withdraw your request for a hearing.

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Public Utility Commission of Texas
Central Records
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Austin, TX 78711-3326

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Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 46986

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____