



Control Number: 47008



Item Number: 5

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RECEIVED

APPLICATION OF AQUA UTILITIES, §  
INC. AND CITY OF GEORGETOWN §  
FOR APPROVAL OF SERVICE AREA §  
CONTRACT UNDER TEXAS WATER §  
CODE §13.248 AND TO AMEND §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN WILLIAMSON §  
COUNTY §

PUBLIC UTILITY COMMISSION  
2017 APR 18 PM 1:27  
OF TEXAS PUBLIC UTILITY COMMISSION,  
FILING CLERK

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Sufficiency of Application and Notice. In support thereof, Staff shows the following:

**I. BACKGROUND**

On March 30, 2017, Aqua Utilities, Inc. d/b/a Aqua Texas (Aqua) and the City of Georgetown (Georgetown) (collectively, Applicants) filed an application, pursuant to Texas Water Code § 13.248, for approval of an agreement that would amend their water certificates of convenience and necessity (CCN) in Williamson County. Aqua holds water CCN No. 11157 and Georgetown holds water CCN No. 12369. Aqua and Hidden Creek agree that Aqua will provide retail water service to the proposed transfer area and Georgetown agrees to transfer the proposed transfer area within Georgetown’s CCN to Aqua within the terms of the contract. No city facilities or customers are currently located in the area proposed for transfer. Aqua and Georgetown request that the Commission approve the contract without requiring public notice. The Commission published notice of the application in the *Texas Register* on April 3, 2017.

On April 3, 2017, the Administrative Law Judge (ALJ) issued Order No. 1, instructing Staff to file a recommendation regarding this application, proposed notice, and a procedural schedule. Therefore, this pleading is timely filed.

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**II. RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE**

Staff has reviewed the application, and as detailed in the attached memo from Jonathan Ramirez of the Commission’s Water Utility Regulation Division, Staff recommends that the application be found administratively complete. Staff further recommends that no notice is required because there are no customers currently located in the area proposed for transfer.

**III. PROPOSED PROCEDURAL SCHEDULE**

<b>Event</b>	<b>Date</b>
Deadline for intervention	May 18, 2017
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to the Applicants for review and consent	June 19, 2017
Deadline for Applicants to file signed consent forms with the Commission	July 3, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	July 10, 2017
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	July 24, 2017

**IV. CONCLUSION**

Staff respectfully requests that the ALJ issue an order consistent with Staff’s recommendations.

## PUC Interoffice Memorandum

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**To:** Douglas Brown, Attorney  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utilities Division

**From:** Jonathan Ramirez, Financial Analyst  
Water Utilities Division

**Date:** April 17, 2017

**Subject:** **Docket No. 47008:** *Application of Aqua Utilities, Inc. and City of Georgetown for Approval of Service Area Contract under Texas Water Code §13.248 and to Amend Certificates of Convenience and Necessity in Williamson County*

On March 30, 2017, Aqua Utilities, Inc. dba Aqua Texas (Aqua) and the City of Georgetown (Georgetown) (collectively, Applicants) filed an application for approval of a service agreement pursuant to Texas Water Code (TWC) §13.248, that would amend their water Certificates of Convenience and Necessity (CCN) in Williamson County. Specifically, the application seeks to transfer a portion of Georgetown's CCN No. 12369 to Aqua, CCN No. 11157.

A Staff review of the information filed by the Applicants found that it is sufficient in the required application and mapping information. Therefore, Staff recommends that the application be deemed sufficient for filing and administratively complete.

For this application, no notice is required because there are no customers currently located in the area proposed for transfer.

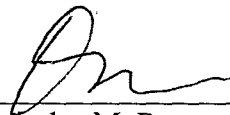
**DATED:** April 18, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Stephen Mack  
Managing Attorney



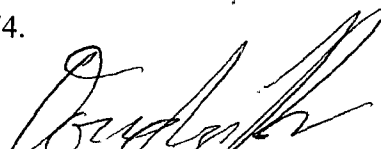
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Douglas M. Brown  
State Bar No, 24048366  
Ashley Nwonuma  
State Bar No. 24096650  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7203  
(512) 936-7268 (facsimile)  
Douglas.brown@puc.texas.gov

**DOCKET NO. 47008**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 18<sup>th</sup> of April, 2017, in accordance with. 16 TAC § 22.74.



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Douglas M. Brown