

Control Number: 47011



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DOCKET NO. 47011

**APPLICATION OF UTOPIA WATER
SUPPLY CORPORATION FOR AN
AMENDMENT TO A WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN UVALDE
COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

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

I. BACKGROUND

On March 31, 2017, Utopia Water Supply Corporation (Utopia) filed an application to amend its water certificate of convenience and necessity (CCN) No. 12383 in Uvalde County. The proposed new service area being requested includes approximately 13 acres.

On June 9, 2017, the Administrative Law Judge (ALJ) issued Order No. 3, requiring staff to file a recommendation on sufficiency of notice within 10 working days of Utopia filing proof of the completed notice with the Commission. Utopia filed its proof of completed notice on July 24, 2017. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON SUFFICIENCY OF NOTICE

Staff has reviewed Utopia's affidavits of notice and, as supported by the attached memorandum of Andrew Novak of the Water Utility Regulation Division, recommends that they be found sufficient.

III. PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	July 12, 2017
Deadline for intervention	August 11, 2017 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Utopia for review and consent if no outstanding issues exist	September 21, 2017
Deadline for Utopia to file signed consent forms with the Commission	October 9, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the application	October 13, 2017
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	October 20, 2017

IV. CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with Staff's recommendation.

¹ Pursuant to 16 Tex. Admin. Code § 24.106(a)(3) (TAC), the intervention deadline is 30 days from the mailing or publication of notice, whichever occurs later. Notice was mailed on July 12, 2017, and published on June 29 and July 2, 2017. Thirty days after July 12, 2017 (the latest date) is August 11, 2017.

DATED: August 3, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

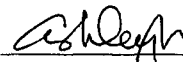


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 3rd day of August, 2017, in accordance with. 16 TAC § 22.74.



Ashley Nwonuma

PUC Interoffice Memorandum

To: Ashley Nwonuma
Legal Division

Thru: Lisa Fuentes, Manager
Water Utilities Division

From: Andrew Novak, Financial Analyst
Water Utilities Division

Date: August 3, 2017

Subject: **Docket 47011**, *Application of Utopia Water Supply Corporation for an Amendment to a Water Certificate of Convenience and Necessity in Uvalde County*

On March 31, 2017, Utopia Water Supply Corporation (Utopia or Applicant) filed an application to amend a portion its water Certificate of Convenience and Necessity (CCN) No. 12383 in Uvalde County.

In response to Commission Order No. 3, the Applicant provided public notice to customers, neighboring systems, and affected parties in Uvalde County on July 12, 2017. On June 29, 2017 and July 2, 2017, notice was published in the Uvalde Leader-News. The affidavits of notice were filed with the Commission on July 24, 2017. Staff has reviewed the notice documents and recommends they be deemed sufficient.