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RECEIVED

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

PUBLIC UTILITY COMMISSION

OF TEXAS
 PUBLIC UTILITY COMMISSION
 FILING CLERK

JOINT PROPOSED NOTICE OF APPROVAL AND MOTION TO ADMIT EVIDENCE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, together with Utopia Water Supply Corporation (Utopia) (collectively, "Parties") and files this Joint Proposed Notice of Approval and Motion to Admit Evidence. In support thereof, the parties show 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 deeming the application administratively complete. Utopia filed affidavits of notice on July 24, 2017. On October 13, 2017, Staff recommended final approval of the application.

II. JOINT MOTION TO ADMIT EVIDENCE

Staff and Utopia jointly request to admit the following evidence into the record of this proceeding:

1. Utopia's application (Item No. 1, filed March 31, 2017)
2. Utopia's supplemental information (Item No. 7, filed May 26, 2017; Item No.8, filed May 31, 2017)
3. Utopia's Publisher's Affidavit and Affidavit of Notice to Neighboring Utilities, Landowners, and Cities (Item No. 12, filed July 24, 2017)
4. Utopia's Consent Form (Item No. 15, filed September 29, 2017)

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5. Commission Staff's Amended Final Recommendation (Item No. 17, filed October 13, 2017)

III. PROPOSED NOTICE OF APPROVAL

The attached joint proposed Notice of Approval would grant Utopia's application to amend its water CCN No. 12383 in Uvalde County.

IV. CONCLUSION

Staff has reviewed the application and recommends approval. The Parties therefore respectfully request that the Commission adopt the attached findings of fact, conclusions of law, and ordering paragraphs, as well as admit the specified evidence into the record of this proceeding.


DATED: October 20, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

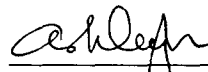


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DOCKET NO. 47011

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 20th day of October, 2017, in accordance with. 16 TAC § 22.74.



Ashley Nwonuma

DOCKET NO. 47011

APPLICATION OF UTOPIA WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION FOR AN	§	
AMENDMENT TO A WATER	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN UVALDE	§	
COUNTY	§	

NOTICE OF APPROVAL

This Notice of Approval addresses the application (Application) of Utopia Water Supply Corporation (Utopia WSC) for approval of an amendment to its water certificate of convenience and necessity (CCN) No. 12383 in Uvalde County, Texas. The Public Utility Commission Staff (Staff) recommend approval of the petition.

I. FINDINGS OF FACT

Description, Background, and Procedural History

1. On March 31, 2017, Utopia WSC filed an application to amend water CCN No. 12383 in Uvalde County.
2. The total proposed service area requested consists of approximately 13 acres.
3. On June 9, 2017, Order No. 3 was issued, deeming the application sufficient for filing.
4. On August 4, 2017, Order No. 4 was issued, finding the notice sufficient and adopting a final procedural schedule.
5. On September 29, 2017, Utopia WSC submitted a signed consent form evidencing its consent to the proposed map and certificate.
6. On October 13, 2017, Staff filed its final recommendation of approval of the Application. The filing included an amended map and certificate, both of which are attached to this Notice.
7. On October 20, 2017, the parties filed a joint proposed notice of approval and motion to admit evidence.
8. On _____, 2017, Order No. ____ was issued, admitting evidence into the record of this proceeding.

Notice

9. On April 5, 2017, notice of the petition was published in the *Texas Register*.
10. On July 24, 2017, Utopia WSC filed an affidavit attesting to published notice and mailed notice.
11. Notice was provided by publication in the *Uvalde Leader News* on June 29, 2017 and July 2, 2017, as recorded by a publisher's affidavit dated July 20, 2017.
12. Utopia WSC mailed notice of the Application to neighboring utilities, landowners, and cities on July 12, 2017.
13. An affidavit that these neighboring utilities, landowners, and cities received notice was dated July 12, 2017.

Evidentiary Record

14. On October ___, 2017, Order No. 5 was issued, admitting the following evidence into the record of this proceeding: (a) Utopia WSC's Application (Item No. 1, filed March 31, 2017); (b) Utopia WSC's supplemental information (Item No. 7, filed May 26, 2017) and Item No. 8, filed May 31, 2017); (c) Utopia WSC's Publisher's Affidavit and Affidavit of Notice to Neighboring Utilities, Landowners, and Cities (Item No. 12, filed July 24, 2017); (d) Utopia WSC's Consent Form (Item No. 15, filed September 29, 2017); and (e) Commission Staff's Amended Final Recommendation (Item No. 17, filed October 13, 2017).

Informal Disposition

15. More than 15 days have passed since completion of notice in this docket
16. Commission Staff and Utopia WSC are the only parties to the proceeding.
17. No issues of fact or law remain disputed by any party; therefore, no hearing is necessary.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority over this docket pursuant to Tex. Water Code §§ 13.242-13.250 (TWC), and 16 Tex. Admin. Code §§ 24.101-24.107 (TAC).

2. Utopia WSC is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(59).
3. Utopia WSC has provided public notice of the Application in compliance with TWC § 13.246 and with 16 TAC § 24.106.
4. After considering the relevant factors in TWC § 13.246(c), Utopia WSC has demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area and its current service area.
5. Utopia WSC has demonstrated that the Application meets the requirements set forth in TWC §§ 13.242-13.250 and in 16 TAC §§ 24.101 and 24.102 to be granted an amendment to its CCN.
6. Approval of the amended certificate requested in the Application is necessary for the service, accommodation, convenience, or safety of the public, as required under TWC § 13.246(b) and 16 TAC § 24.102(c).
7. Under TWC § 13.257(r) and 16 TAC § 24.106(e), Utopia is required to record a certified copy of the approved CCN and map, along with a boundary description of the service area, in the real property records of each county in which the amended service area or a portion of the amended service area is located, and submit to the Commission evidence of the recording.
8. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. Utopia WSC's Application is approved.
2. Utopia WSC's water CCN No. 12383 is hereby amended to reflect the addition of 13 acres of its service area in Uvalde County.
3. Utopia WSC shall service every customer and applicant for service within the area certificated under CCN No. 12383, and such service shall be continuous and adequate.

4. Utopia WSC shall comply with the recording requirements in TWC § 13.257(r) for the area in Uvalde County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the ____ day of _____, 2017.

PUBLIC UTILITY COMMISSION OF TEXAS

ADMINISTRATIVE LAW JUDGE