

Control Number: 47011



Item Number: 20

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DOCKET NO. 47011

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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
FILING CLERK

NOTICE OF APPROVAL

This Notice addresses the application of Utopia Water Supply Corporation for approval of an amendment to its water certificate of convenience and necessity (CCN) No. 12383 in Uvalde County. Commission Staff recommended approval of the application.

The Commission issues the following findings of fact and conclusions of law.

I. Findings of Fact

Procedural History and Background

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

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7. On October 27, 2017, Order No. 5 was issued, admitting evidence into the record of this proceeding.

Notice

8. On April 21, 2017, notice of the application was published in the *Texas Register*.
9. Notice was provided by publication in the *Uvalde Leader News* on June 29, 2017 and July 2, 2017.
10. On July 12, 2017, Utopia WSC mailed notice of the application to neighboring utilities, landowners, and cities.
11. On July 24, 2017, Utopia WSC filed an affidavit attesting to published notice and mailed notice to neighboring utilities, landowners, and cities.

Informal Disposition

12. More than 15 days have passed since completion of notice in this docket.
13. Commission Staff and Utopia WSC are the only parties to the proceeding.
14. No issues of fact or law remain disputed by any party.

II. Conclusions of Law

1. The Commission has jurisdiction and authority over this docket under Texas Water Code (TWC) §§ 13.242-13.250 and 16 Texas Administrative Code (TAC) §§ 24.101-24.107.
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 in 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.

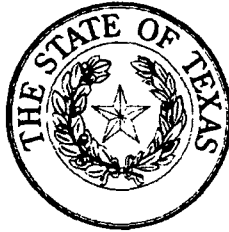
Signed at Austin, Texas the 27th day of October 2017.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE

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Public Utility Commission of Texas

By These Presents Be It Known To All That

Utopia Water Supply Corporation

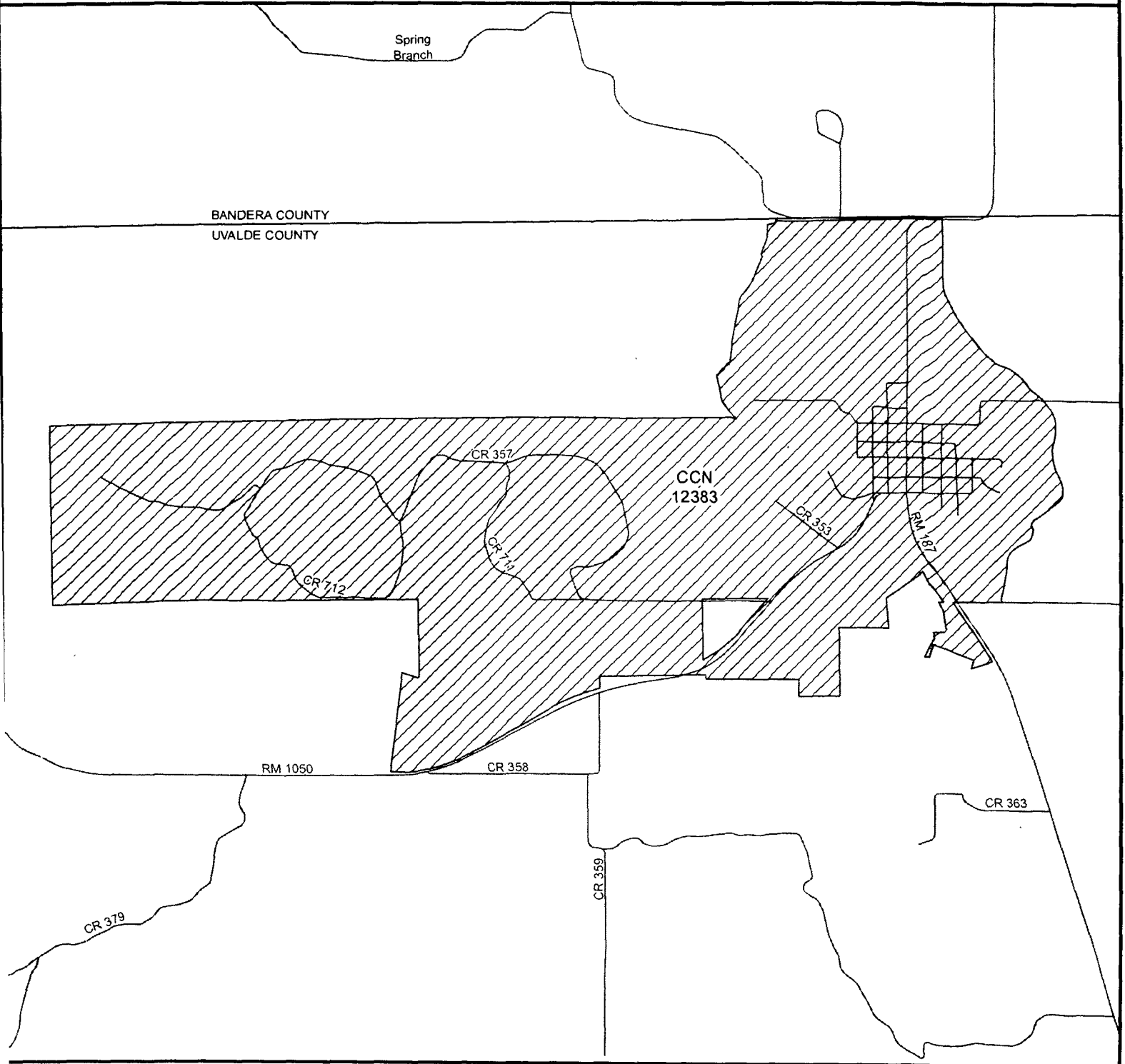
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Utopia Water Supply Corporation is entitled to this

Certificate of Convenience and Necessity No. 12383

to provide continuous and adequate water utility service to that service area or those service areas in Uvalde County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47011 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Utopia Water Supply Corporation, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the 27th day of OCTOBER 2017.

Utopia Water Supply Corporation
Water CCN No. 12383
PUC Docket No. 47011
Amended CCN No. 12383 in Uvalde County



Water CCN



12383 - Utopia Water Supply Corporation

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