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DOCKET NO. 47060

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APPLICATION OF ARGYLE WATER §
SUPPLY CORPORATION AND TOWN §
OF NORTHLAKE FOR APPROVAL OF §
SERVICE AREA CONTRACT UNDER §
TEXAS WATER CODE § 13.248 AND TO §
AMEND CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
DENTON COUNTY §

PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**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, and would show the following:

I. BACKGROUND

On April 12, 2017, an application from the Town of Northlake (Northlake) and the Argyle Water Supply Corporation (Argyle) (collectively, Applicants) was filed 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 Denton County. On April 17, 2017, Order No. 1 was issued, setting May 12, 2017 as the deadline for Staff to file comments on the administrative completeness of the application and proposed notice, and for the Applicants and Staff to file comments/recommendation regarding how this application should be processed and propose a procedural schedule

II. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

Staff recommends the application be found administratively incomplete and insufficient for filing, based on the attached memorandum from Debbie Reyes Tamayo, Program Specialist in the Water Utilities Division. Specifically, Staff requests that the Applicants provide additional information on the maps and digital data, and that the Applicants provide additional information about the meetings at which Northlake and Argyle adopted the resolutions approving the Interlocal Water Service Area Agreement, which authorizes the transfer of the service territory between the two utilities. Staff recommends the following procedural schedule:

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Deadline for Applicants to submit supplemental information	June 12, 2017
Deadline for Staff to provide its recommendation on the sufficiency of the supplemental information	July 12, 2017

Commission Staff is authorized to represent that it has contacted the representative for the Applicants, and that there is no objection to the proposed procedural schedule.

Dated: May 11, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

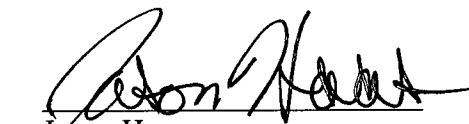
Katherine Gross
Managing Attorney



Jason Haas
State Bar No. 24032386
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7255
(512) 936-7268 (facsimile)
Jason.haas@puc.texas.gov

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 11, 2017 in accordance with 16 Tex. Admin. Code § 22.74.



Jason Haas

PUC Interoffice Memorandum

To: Jason Hass, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Manager
Water Utilities Division

From: Debbie Reyes Tamayo, Program Specialist
Water Utilities Division

Date: May 10, 2017

Subject: **Docket No. 47060:** *Application of Town of Northlake and Argyle Water Supply Corporation for Approval of Service Area Contract under Texas Water Code §13.248 and to Amend Certificates of Convenience and Necessity in Denton County*

On April 12, 2017, an application from the Town of Northlake (Northlake) and the Argyle Water Supply Corporation (Argyle) (collectively, Applicants) was filed 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 Denton County. Specifically, the application seeks to transfer portions of Northlake's CCN No. 12915 and Argyle's CCN No. 10199 to one another.

Based upon review of the information submitted with the application, Staff recommends the application be found administratively incomplete and insufficient for filing.

Mapping

The filed maps and digital data do not adequately identify the requested areas (agreement areas) to be added to the Applicant's respective CCN service areas. The maps and digital data should delineate the portions of the water CCN service areas that the Applicants have agreed will be added to each other's respective water service areas.

The Applicant should file the following items to resolve the mapping deficiencies:

- Revised general location (small scale) maps identifying the requested areas to be added to each CCN, shown in reference to the nearest county boundary, city, or town. A separate map for each CCN should be filed showing how each certificated water service area will be amended. The map should not show portions of existing CCNs that are not being amended by this docket.
- Revised detailed (large scale) maps identifying the requested areas to be added to each CCN, shown in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads. A separate map for each CCN should be filed showing how each certificated water service area will be amended. The maps should not show portions of existing CCNs that are not being amended by this docket.
- Revised digital mapping data for each requested area to be added to each CCN. The digital data for each requested area should be a single polygon record, in shapefile (SHP) format,

georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet). Each polygon of the requested area should be clearly labeled with the CCN holder's name, CCN number, and state the end result of the agreement (add to CCN number).

Before filing amended maps and digital data for this application, Staff recommends the Applicant obtain further mapping guidance from Tracy Montes by email at tracy.montes@puc.texas.gov, in order to resolve the mapping deficiencies.

Notice

16 Tex. Admin. Code § 24.117(c) (TAC) provides for notice under TWC § 13.248. Under 16 TAC § 24.117(c)(2), “[i]f the decision to enter into a contract under this section was discussed at a meeting of a city council, a water supply or sewer service corporation’s board, district board, county commissioner’s court, or other regulatory authority, a copy of the meeting agenda and minutes for the meeting during which the item was discussed may be considered sufficient notice.” The Applicants provided resolutions from Argyle and Northlake approving the Interlocal Water Service Area Agreement. The Applicants should include copies of the meeting agendas and minutes from the meetings at which the resolutions were approved.