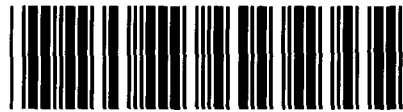


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**DOCKET NO. 47173**

**APPLICATION OF AQUA WATER § PUBLIC UTILITY COMMISSION**  
**SUPPLY CORPORATION AND CITY §**  
**OF SMITHVILLE FOR APPROVAL §**  
**OF A SERVICE AREA CONTRACT §**  
**UNDER TEXAS WATER CODE §**  
**§ 13.248 AND TO AMEND §**  
**CERTIFICATES OF CONVENIENCE §**  
**AND NECESSITY IN BASTROP §**  
**COUNTY §**

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON  
COMPLETENESS**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Response to Order No. 3 and Supplemental Recommendation on Completeness. In support thereof, Staff would show the following:

**I. BACKGROUND**

On May 16, 2017, Aqua Water Supply Corporation (Aqua) and the City of Smithville 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 Bastrop County. Aqua holds water CCN No. 10294 and the City holds water CCN No. 10946. Aqua and the City have agreed to amend their respective water CCNs to transfer certain certificated service areas from Aqua's CCN No. 10294 to the City's CCN No. 10946. The total area being requested includes approximately 834 acres and 0 customers. Aqua agrees to decertification of the proposed water service transfer area as described in the application.

On August 8, 2017, Order No. 3 was entered, establishing October 5, 2017 as the deadline for Staff to file a supplemental recommendation on the amended application. Accordingly, this pleading is timely filed.

**II. RECOMMENDATION**

Staff has reviewed the application as amended and recommends that the application be found administratively complete, as supported by the attached memorandum of Leila Guerrero of

the Water Utility Regulation Division. Staff further recommends that no notice is required, due to there being no affected customers in the area subject to the transfer.

### **III. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule:

Deadline for intervention	November 1, 2017
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to the Applicants for review and consent	December 7, 2017
Deadline for Applicants to file signed consent forms with the Commission	December 21, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	January 9, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	January 16, 2018

### **IV. CONCLUSION**

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

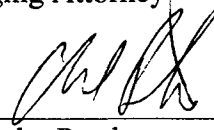
Dated: September 29, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



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**DOCKET NO. 47173  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on September 29, 2017 in accordance with 16 TAC § 22.74.



Alexander Petak

**Public Utility Commission of Texas**  
**Interoffice Memorandum**

**TO:** Alexander Petak, Attorney  
Legal Division

**THRU:** Lisa Fuentes, Manager  
Water Utility Regulation Division

**FROM:** Leila Guerrero, Regulatory Accountant/Auditor  
Water Utility Regulation Division

**DATE:** September 21, 2017

**SUBJECT:** **Docket No. 47173**, *Application of Aqua Water Supply Corporation and City of Smithville for Approval of a Service Area Contract Under Texas Water Code §13.248 and to Amend Certificates of Convenience and Necessity in Bastrop County, Texas*

On May 16, 2017, Aqua Water Supply Corporation ("Aqua WSC") and City of Smithville ("City"), (collectively Applicants) filed an application with the Public Utility Commission ("Commission") for approval of a service area contract under Tex. Water Code §13.248 (TAC), to amend Certificates of Convenience and Necessity (CCN) Nos. 10946 (City) and 10294 (Aqua WSC) in Bastrop County, Texas. The total area being requested include approximately 834 acres and zero customers.

On September 1, 2017, the Applicant submitted additional mapping information in response to Commission Order No. 3. Staff has reviewed information and recommends the application be deemed administratively complete and sufficient for filing.

For this application, notice is not required because there are no affected customers in the area subject to the transfer.