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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 §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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PUBLIC UTILITY COMMISSION

**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. 2 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 907 acres. Aqua agrees to decertification of the proposed water service transfer area as described in the application.

On June 21, 2017, Order No. 2 was entered, establishing August 10, 2017 as the deadline for Staff to file a supplemental recommendation on the. Accordingly, this pleading is timely filed.

II. RECOMMENDATION

Staff has reviewed the application and recommends that the application be found administratively incomplete due to mapping deficiencies, as supported by the attached

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memorandum from Leila Guerrero of the Water Utility Division. Staff recommends that Aqua and the City of Smithville be required to file revised maps and digital data as discussed in the attached memorandum.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Aqua and the City of Smithville file amended maps and clarification	September 5, 2017
Staff to provide comments/recommendation regarding this application, proposed notice and a procedural schedule	October 5, 2017

IV. CONCLUSION

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

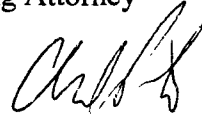
Dated: August 4, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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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 August 4, 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: August 4, 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*

On May 16, 2017, Aqua Water Supply Corporation (“Aqua WSC”) and City of Smithville (“Smithville”), (collectively Applicants) filed an application with the Public Utility Commission (“Commission”) for approval of a service area contract under Texas Water Code §13.248 (TAC), to amend Certificates of Convenience and Necessity (CCN) Nos. 10946 (City) and 10294 (Aqua WSC) in Bastrop County, Texas.

On June 29, 2017, the Applicants filed information in response to Commission Order No. 2. Staff has reviewed the information and recommends the application be deemed administratively incomplete and not accepted for filing.

Mapping

The mapping documentation is deficient. The hard copy maps filed do not clearly identify the area to be transferred from Aqua WSC to Smithville. The digital mapping data for the area to be transferred must remove the two areas that will remain certificated to Aqua WSC. Also, the digital data still overlaps area already certificated to Smithville.

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

- 1) A revised general location map identifying the area to be transferred shown in reference to the nearest county boundary, city, or town. The map must not show existing CCNs.
- 2) A revised detailed map identifying the area to be transferred shown in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads. The map must not show existing CCNs.
- 3) Revised digital mapping data which accurately removes the two areas (polygons) that will remain certificated to Aqua WSC (10294) and removes area already certificated to the Smithville. File the data as 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).
- 4) State the revised total acreage for the area being transferred.