



Control Number: 47203



Item Number: 6

Addendum StartPage: 0

RECEIVED

PETITION OF PARKER AREA §
INVESTMENTS, LLC TO AMEND §
CITY OF ALEDO'S CERTIFICATES §
OF CONVENIENCE AND NECESSITY §
IN PARKER COUNTY BY §
EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION

2017 JUN 22 PM 1:12

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 (Commission), representing the public interest and files this Recommendation on Administrative Completeness and would show the following:

I. BACKGROUND

On May 23, 2017, Parker Area Investments, LLC (Parker) filed a petition for expedited release from the City of Aledo's water certificate of convenience and necessity (CCN) No. 10264 and sewer CCN No. 20102 in Parker County. On May 30, 2017, Order No. 1 was issued, requiring that Commission Staff file comments on administrative completeness and notice by June 22, 2017. This pleading is therefore timely filed.

II. APPLICATION OF RULE

Procedures for an expedited release of property are regulated under 16 Tex. Admin. Code § 24.113 (TAC). The Commission recently amended this rule in Project No. 46151.¹ The order was filed with the Texas Register on May 8, 2017.² Therefore, the effective date of the amended rule is May 28, 2017.³ However, under 16 TAC § 24.8(d), an application that falls under subchapter G of chapter 24 of the Commission's rules is not considered filed until the Commission determines that the application is administratively complete. Subchapter G includes 16 TAC § 24.113. Because a determination of administrative completeness has not yet been made, the

¹ Project to Amend 16 Tex. Admin. Code Section 24.113 Relating to Revocation or Amendment of a Water or Sewer Certificate and Section 24.120 Relating to Single Certification in Incorporated or Annexed Areas, Project No. 46151, Order (May 4, 2017)

² Project No. 46151, Acknowledgement of Receipt (May 11, 2017)

³ TEXAS GOV'T. CODE ANN. § 2001.036(a) (West 2016).

6

application is currently not considered filed. Staff therefore proposes that the application be processed under the amended rule. Staff has conferred with Parker on processing the application under the amended rule, and is authorized to represent that Parker does not object.

III. COMMENTS ON ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application. Based on that attached memorandum from Sean Scaff, Engineering Specialist, and Kristy Nguyen, GIS Specialist of the Water Utilities Division, Staff recommends application and notice be declared administratively complete and that the petition be accepted for filing.

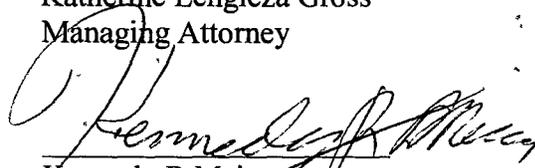
Dated: June 22, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney



Kennedy R Meier
State Bar No. 24092819
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7265
(512) 936-7268 (facsimile)
kennedy.meier@puc.texas.gov

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 22, 2017 in accordance with 16 Tex. Admin. Code § 22.74.



Kennedy R. Meier

PUC Interoffice Memorandum

To: Kennedy Meier, Attorney
Legal Division

From: Sean Scaff, Engineering Specialist
Kristy Nguyen, GIS Specialist
Water Utilities Division

Thru: Tammy Benter, Director
Water Utilities Division

Date: June 22, 2017

Subject: **Docket No. 47203:** *Petition of Parker Area Investments, LLC to Amend the City of Aledo's Certificates of Convenience and Necessity by Expedited Release in Parker County by Expedited Release*

On May 23, 2017, Parker Area Investments, LLC (Petitioner) filed a petition for an expedited release from the City of Aledo's (City) water Certificate of Convenience and Necessity (CCN) No. 10264 and sewer CCN No. 20102, in Parker County. This petition is being reviewed under Tex. Water Code § 13.254 (a-5) (TWC), and 16 Tex. Admin. Code §24.113 (TAC).

The Petitioner submitted an adequate map delineating the requested area for expedited release with enough detail to confirm the accurate positioning of their digital data pursuant to 16 TAC § 24.113(m). The map and digital data are sufficient for determining the location of the requested release area within the City's certificated area. Mapping Staff were able to confirm the acreage of the subject property, and determined that the requested area is located within the subject property. Furthermore, the Petitioner provided a warranty deed confirming the Petitioner's ownership of the tract of land within the subject property. The area being requested for expedited release is approximately 27.3 acres within the subject property of approximately 28.4 acres that is larger than 25 acres.

The Petitioner also provided a statement attesting that a copy of the petition was sent to the City the same day the petition was sent to the Public Utility Commission (PUC) pursuant to 16 TAC §24.113(1)(3)(A)(vi).

The Petitioner has met PUC's requirements to allow for the release of the requested area from the City of Aledo's water Certificate of Convenience and Necessity No. 10264 and sewer CCN No. 20102. Staff recommends that the petition be accepted for filing.