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DOCKET NO. 47229

RECEIVED

APPLICATION OF CITY OF AUSTIN §
TO AMEND A WATER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY AND TO §
DECERTIFY SUNFIELD MUNICIPAL §
UTILITY DISTRICT NO. 4 IN HAYS §
COUNTY §

PUBLIC UTILITY COMMISSION

2017 OCT 20 AM 10:04
PUBLIC UTILITY COMMISSION
OF TEXAS FILING CLERK

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

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Second Supplemental Recommendation on Administrative Completeness. In support thereof, Staff shows the following:

I. BACKGROUND

On May 31, 2017, the City of Austin filed an application to amend its water certificate of convenience and necessity (CCN) No. 11322 and Sunfield MUD No. 4's CCN No. 13116 in Hays County. Sunfield MUD No. 4 is in a portion of CCN No. 13116 and seeks to be decertified and transferred to the City of Austin's CCN No. 11322. The total area being requested includes approximately 655 acres and includes 0 current customers.

On August 31, 2017, the Administrative Law Judge issued Order No. 3, which required Staff to file a supplemental recommendation on administrative completeness by October 20, 2017. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and recommends that the application be found deficient, as supported by the attached memorandum of Debbie Reyes Tamayo of the Water Utility Regulation Division. Staff recommends that the City of Austin be ordered to correct and supplement its mapping content as described in the attached memorandum. This additional information is required before a recommendation on the proposed notice can be made.

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III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for the City of Austin to amend its application to cure deficiencies	November 17, 2017
Deadline for Staff to file a supplemental recommendation on the amended application	December 15, 2017

IV. CONCLUSION

Staff respectfully requests the entry of an order finding the application deficient, and requests that the proposed procedural schedule be adopted.

DATED: October 20, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 20th of October, 2017, in accordance with. 16 TAC § 22.74.



Joshua Barron

PUC Interoffice Memorandum

To: Ashley Nwonuma, Attorney
Joshua Barron, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Debbie Reyes Tamayo, Program Specialist
Water Utility Regulation Division

Date: October 13, 2017

Re: **Docket No. 47229:** *Application of City of Austin to Amend a Water Certificate of Convenience and Necessity and to Decertify Sunfield Municipal Utility District No. 4 in Hays County*

On May 31, 2017, the City of Austin (City) filed with the Public Utility Commission of Texas (Commission) an application to amend water Certificate of Convenience and Necessity (CCN) No. 11322 and to decertify a portion of Sunfield MUD 4's CCN No. 13116, in Hays County, Texas. This application is being reviewed pursuant to the criteria in the Texas Water Code Ann., §§ 13.242-13.250 (TWC) and the 16 Tex. Admin. Code §§ 24.101-24.107 (TAC).

Mapping

The revised digital data filed on September 20, 2017, includes a different area than was shown in the original mapping information. Therefore, the Applicant must file revised small and large scale maps showing the same requested area as shown in the revised digital data. Also, the digital data must be revised to follow along the boundaries of surrounding certificated service areas.

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

- A revised general location map identifying the requested area in reference to the nearest county boundary, city, or town.
- A revised detailed map identifying the requested area in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Revised digital mapping data for the requested area, 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).
- State the total acres for the requested area.

Application Content

The following item must be provided for a determination of administrative completeness.

- Pursuant to 16 TAC § 24.105(a)(13), the Applicant must provide an executed agreement with Sunfield MUD 4 to amend their existing certificated service area.