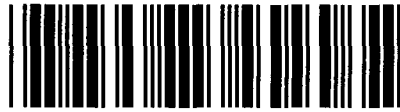




Control Number: 47229



Item Number: 5

Addendum StartPage: 0

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 9:30

OF TEXAS
PUBLIC UTILITY COMMISSION
FILING CLERK

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. 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 June 1, 2017, the Administrative Law Judge issued Order No.1, which required Staff to file comments on administrative completeness and proposed notice by July 3, 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.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

5

Event	Date
Deadline for the City of Austin to amend its application to cure deficiencies	July 31, 2017
Deadline for Staff to a supplemental recommendation on the amended application	August 30, 2017

IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendations.


DATED: June 30, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
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DOCKET NO. 47229

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 30th of June, 2017, in accordance with 16 TAC § 22.74.



Ashley Nwonuma

PUC Interoffice Memorandum

To: Ashley Nwonuma, Attorney
Legal Division

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

From: Debbie Reyes Tamayo, Program Specialist
Water Utilities Division

Date: June 30, 2017

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

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

The total area being requested includes approximately 655 acres and includes 0 current customers.

A Staff review of the above referenced application found deficiencies in the required application and recommends that the application be deemed insufficient for filing and found administratively incomplete. Further, Staff recommends the Applicants provide the following items to resolve the deficiencies:

The digital mapping data filed in the application is deficient. The requested area has overlaps with portions of other certificated service areas, which may indicate the intent of the application should be revised to include their decertification. A portion of the requested area does not align along the outer boundary of surrounding certificated service areas. If the overlaps remain with the requested area, the Applicant must file agreements allowing the decertification of portions of the following certificated service areas:

- Goforth SUD (CCN No. 11356)
- LCRA (CCN No. 11670)
- Sunfield MUD 4 (CCN No. 11316)

Otherwise, if the overlaps with the other certificated service areas are removed, the Applicant must file the following items to resolve the mapping deficiencies:

- 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 revised total acres for the requested area.

Staff recommends the Applicant obtain mapping guidance from Tracy Montes by email at

tracy.montes@puc.texas.gov, before filing the requested item.

- Provide a copy of the most recent Texas Commission on Environmental Quality (TCEQ) inspection report.
- The City will need to provide TCEQ letters approving construction of facilities, including distribution, to serve the requested area.