



Control Number: 47229



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**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 §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this 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 July 11, 2017, the Administrative Law Judge issued Order No.2, which required Staff to file a supplemental recommendation on administrative completeness by August 30, 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:

<b>Event</b>	<b>Date</b>
Deadline for the City of Austin to amend its application to cure deficiencies	September 20, 2017
Deadline for Staff to a supplemental recommendation on the amended application	October 20, 2017

### **IV. CONCLUSION**

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

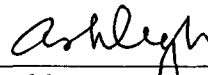
**DATED:** August 30, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

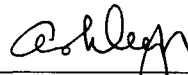


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**CERTIFICATE OF SERVICE**

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



Ashley Nwonuma

## PUC Interoffice Memorandum

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**To:** Ashley Nwonuma, Attorney  
Legal Division

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

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

**Date:** August 30, 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 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.

Commission Order No. 2 required the Applicant to file a response on or before July 31, 2017. To date, a response has not been filed.

Staff recommends the Applicant file the following information in order to resolve the deficiencies:

### **Mapping**

The digital mapping data deficient. A portion of the requested area does not align along the outer boundary of surrounding certificated service areas. Also, the requested area overlaps portions of the existing CCN service areas of the entities listed below. This may indicate that the intent of the application should be revised to include decertification of the overlapping areas. If the overlaps are intentional, the Applicant must file agreements allowing decertification of portions of the CCN service areas:

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

If the overlaps with the other certificated service areas are not intentional, they should be removed and the Applicant should file:

- 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.

**Application Content**

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

- Texas Commission on Environmental Quality (TCEQ) letters approving construction of facilities, including distribution, to serve the requested area.
- A copy of the most recent TCEQ inspection report.