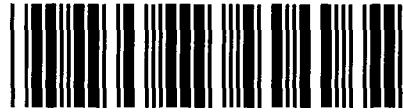


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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF CITY OF §
MIDLOTHIAN AND CITY OF GRAND §
PRAIRIE FOR APPROVAL OF A §
SERVICE AREA CONTRACT UNDER §
TEXAS WATER CODE § 13.248 AND §
TO AMEND CERTIFICATES OF §
CONVENIENCE AND NECESSITY IN §
ELLIS COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Sufficiency of Application and Notice: In support thereof, Staff shows the following:

I. BACKGROUND

On June 6, 2017, the City of Midlothian (Midlothian) and the City of Grand Prairie (Grand Prairie) (collectively, Applicants) filed an application, under Texas Water Code § 13.248, for approval of an agreement that would amend their water certificates of convenience and necessity (CCNs) in Ellis County.

Midlothian holds water CCN No. 11706 and Grand Prairie holds water CCN No. 10105. Midlothian and Grand Prairie have agreed to amend their respective CCNs to transfer a portion of certificated area from Midlothian's water CCN No. 11706 to Grand Prairie's CCN No. 10105 so that Grand Prairie may supply water to customers located within its corporate limits and extraterritorial jurisdiction. Currently, there are no retail water customers of Midlothian being served in the area to be transferred to Grand Prairie. The Commission published notice of the application in the *Texas Register* on June 8, 2017.

On June 8, 2017, Order No. 1 was issued requiring Staff to file a recommendation regarding the application, proposed notice, and to propose a procedural schedule by July 6, 2017. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE

Staff has reviewed the application and supplemental materials from the Applicants that were filed on June 28, 2017. As detailed by the attached memorandum from Fred Bednarski of the Water Utility Regulation Division, Staff recommends that the application be deemed administratively complete. Staff further recommends that no further notice is required because there are no customers currently located in the area proposed for transfer.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for intervention	August 7, 2017
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to the Applicants for review and consent	September 7, 2017
Deadline for Applicants to file signed consent forms with the Commission	September 21, 2017
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	September 28, 2017
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	October 12, 2017

IV. CONCLUSION

Staff respectfully requests that an order consistent with this Recommendation be issued.


DATED: July 6, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

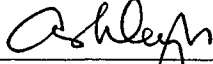


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DOCKET NO. 47265

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 6th of July, 2017, in accordance with 16 TAC § 22.74.



Ashley Nwonuma

PUC Interoffice Memorandum

To: Ashley Nwonuma, Attorney
Legal Division

Through: Tammy Benter, Director
Heidi Graham, Technical Manager
Water Utilities Division

From: Fred Bednarski, Financial Examiner
Water Utilities Division

Date: July 6, 2017

Subject: **Docket No. 47265:** *Application of City of Midlothian and City of Grand Prairie for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Ellis County*

On June 06, 2017, the City of Midlothian (Midlothian) and City of Grand Prairie (GP), (Collectively, Applicants) filed an application, pursuant to Tex. Water Code § 13.248 and 16 Texas Administrative Code (TAC) § 24.117, for approval of an agreement that would amend their water Certificates of Convenience and Necessity (CCN) in Ellis County. Midlothian holds water CCN No. 11706 and GP holds water CCN No. 10105. Midlothian and GP have agreed to amend their respective CCNs to transfer a portion of certificated service area from Midlothian's water CCN No. 11706 to GP's CCN No. 10105 so that Grand Prairie may supply water to customers located within its corporate limits and extraterritorial jurisdiction. Currently, there are no retail water customers of Midlothian being served in the area to be transferred to Grand Prairie which is approximately 3,625.47 acres.

A Staff review of the information filed by the Applicants found that it is sufficient in the required application and mapping information. Therefore, Staff recommends that the application be deemed sufficient for filing and administratively complete.