



Control Number: 47389



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P.U.C. DOCKET NO. 47389

**APPLICATION OF FOREST GLEN
UTILITY COMPANY TO AMEND A
SEWER CERTIFICATE OF
CONVENIENCE AND NECESSITY
IN MEDINA COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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COMMISSION STAFF'S RECOMMENDATION ON NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Completeness in response to Order No. 3 and would show the following:

I. BACKGROUND

On July 10, 2017, Forest Glen Utility Company (Applicant) filed an application to obtain a water Certificate of Convenience and Necessity (CCN) in Medina County, Texas, pursuant to Texas Water Code (TWC) §§ 13.242-.250 and 16 Tex. Admin Code (TAC) §§ 24.101-.107. The Applicant proposed that the CCN include 84.62 acres with 0 current customers. The proposed CCN area is currently undeveloped, in the process of being platted into a subdivision, and future lot owners will have a need for potable water service from Forest Glen Utility Company.

Order No. 3 required Staff to provide a recommendation regarding the sufficiency of Applicant's notice by October 26, 2017. Therefore, Staff's recommendation is timely filed.

II. RECOMMENDATION

Staff has reviewed the affidavits of notice filed by the Applicant, and as supported by the attached memorandum from Janie Kohl, Jolie Mathis, and Kristy Nguyen of the Water Utilities Division, recommends that the notice be deemed insufficient. Specifically, the Applicant failed to include a map as required by Order No. 3. Staff recommends that the Administrative Law Judge order the Applicant to reissue notice.

III. CONCLUSION

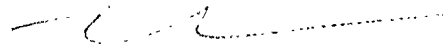
Staff respectfully requests that the ALJ issue an order consistent with Staff's recommendations.

PUBLIC UTILITY COMMISSION
LEGAL DIVISION

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

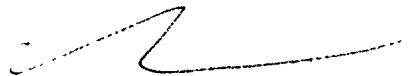


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 26, 2017, in accordance with P.U.C. Procedural Rule 22.74.



Landon J. Lill

PUC Interoffice Memorandum

To: Landon Lill
Legal Division

Thru: Lisa Fuentes, Manager
Water Utilities Division

From: Janie Kohl, Financial Analyst
Jolie Mathis, Engineering Specialist
Kristy Nguyen, GIS Specialist
Water Utilities Division

Date: October 25, 2017

Subject: **Docket No. 47389**, *Application of Forest Glen Utility Company to Amend A Sewer Certificate of Convenience and Necessity in Medina County*

On July 10, 2017, Forest Glen Utility Company (Applicant) filed an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 21070 in Medina County, Texas, pursuant to Texas Water Code §§ 13.242 - 13.250 (TWC) and 16 Tex. Admin Code) §§ 24.101 - 24.107 (TAC). The Applicant proposes to add 84.62 acres with zero current customers.

On October 23, 2017, the Applicant filed affidavits regarding the provision and publication of notice. The Commission's Order No. 3 required Staff to file a recommendation on sufficiency of notice and an updated procedural schedule by October 26, 2017.

Staff reviewed the affidavit, notice, and related information filed by the Applicant and found that the Applicant did not file a copy of the map provided with the individual notice to neighboring utilities and affected parties. Therefore, the affidavit and notice do not meet the requirements at TAC § 24.106.