



Control Number: 47464



Item Number: 22

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DOCKET NO. 47464

RECEIVED

APPLICATION OF DRIPPING SPRINGS §
WATER SUPPLY CORPORATION TO §
AMEND A WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN HAYS §
COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK
2018 JAN 21 AM 10:23

JOINT MOTION TO ADMIT EVIDENCE AND PROPOSED NOTICE OF APPROVAL

COME NOW, the Dripping Springs Water Supply Corporation together with the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, (collectively, the Parties), and file this Joint Motion to Admit Evidence and Proposed Notice of Approval in response to Order No. 6. In support thereof, the Parties show the following:

I. BACKGROUND

On August 1, 2017, the Dripping Springs Water Supply Corporation filed with the Commission an application to amend a water certificate of convenience and necessity (CCN) in Hays County. On December 19, 2017, Dripping Springs Water Supply Corporation filed revisions to its CCN application. On January 24, 2018, the Commission Administrative Law Judge (ALJ) issued Order No. 5, which deemed the Dripping Springs Water Supply Corporation's application administratively complete. On March 13, 2018, the Commission ALJ issued Order No. 6, which deemed the Dripping Springs Water Supply Corporation's notice of its application sufficient and established a deadline of June 22, 2018, for the parties to file joint proposed findings of fact and conclusions of law. This pleading is therefore timely filed.

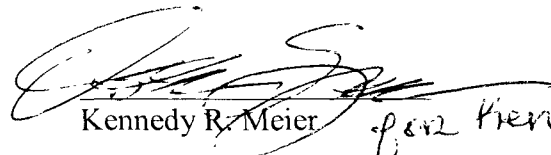
II. JOINT MOTION TO ADMIT EVIDENCE

The Parties move to admit the following into the record evidence of this proceeding:

- (a) Dripping Springs Water Supply Corporation's Application, filed on August 1, 2017 (AIS Item No. 1);
- (b) Dripping Springs Water Supply Corporation's supplements to its application filed on September 14, 2017, October 10, 2017, November 20, 2017, and December 19, 2017 (AIS Item Nos. 6, 9, 10, and 13);

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 21,
2018 in accordance with 16 TAC § 22.74.


Kennedy R. Meier for Kennedy Meier

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APPLICATION OF DRIPPING SPRINGS	§	PUBLIC UTILITY COMMISSION
WATER SUPPLY CORPORATION TO	§	
AMEND A WATER CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN HAYS	§	
COUNTY		

JOINT PROPOSED NOTICE OF APPROVAL

This Notice of Approval addresses the application of the Dripping Springs Water Supply Corporation for an amended water certificate of convenience and necessity (CCN) No. 10315 in Hays County, Texas. The Public Utility Commission Staff (Commission Staff) recommended approval of this application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

Procedural History

1. On August 1, 2017, the Dripping Springs Water Supply Corporation filed with the Commission an application to amend a water certificate of convenience and necessity (CCN) in Hays County. Dripping Springs Water Supply Corporation seeks to amend water CCNs for its service area containing approximately 127 acres and serving no current customers.
2. On August 4, 2017, Order No. 1 was issued, requiring comments on administrative completeness and notice; requesting procedural schedule, and addressing other procedural matters.
3. On September 1, 2017, Commission Staff filed a recommendation on administrative completeness.
4. On September 5, 2017, Order No. 2 was issued, finding the application administratively incomplete and establishing deadlines and an opportunity to cure.

5. On September 14, 2017, Dripping Springs Water Supply Corporation filed supplemental mapping information to its application addressing overlaps and gaps in the existing and requested service areas.
6. On October 2, 2017 Dripping Springs Water Supply Corporation filed a request for extension of time.
7. On October 4, 2017, Order No. 3 was issued, granting the request for a time extension to continue working with Commission Staff to finalize mapping required to complete the application.
8. On October 10, 2017 Dripping Springs Water Supply Corporation filed supplemental information to its application addressing overlaps and gaps in the existing and requested service areas.
9. On November 20, 2017, Dripping Springs Water Supply Corporation filed supplemental mapping information to its application addressing overlaps and gaps in the existing and requested service areas.
10. On November 20, 2017, Commission Staff's filed a Supplemental Recommendation on Administrative Completeness.
11. On November 22, 2017, Order No. 4 was issued finding the application administratively incomplete and establishing deadlines.
12. On December 19, 2017, Dripping Springs Water Supply Corporation filed supplemental mapping information to its application to finalize mapping issues.
13. On January 23, 2018, Commission Staff filed a recommendation that the application be found administratively complete.
14. On January 24, 2018, Order No. 5 was issued, deeming the application administratively complete, addressing notice and establishing a procedural schedule.
15. On February 28, 2018 Dripping Springs Water Supply Corporation filed affidavits of notice in response to Order No. 5.
16. On March 2, 2018, Dripping Springs Water Supply Corporation filed copies of the direct notice provided in response to Order No. 5.
17. On March 9, 2018 Commission Staff filed a recommendation that Dripping Springs Water Supply Corporation's notice be deemed sufficient.

18. On March 13, 2018, Order No. 6 was issued, deeming notice sufficient and establishing a procedural schedule.
19. On May 30, 2018, Dripping Springs Water Supply Corporation filed a form consenting to the CCN service area map and certificate transmitted by Commission Staff.
20. On June 8, 2018, Commission Staff filed a Final Recommendation, recommending that the application be approved.
21. The final map and CCN certificate referenced in Finding of Fact No. 19 are attached to this Notice of Approval.

Notice

22. On February 20, 2018, Dripping Springs Water Supply Corporation mailed notice of the application to neighboring systems, landowners, and cities and to affected parties.
23. Hays County notice was provided by publication in the *News Dispatch* on February 15th, 2018 and February 22nd, 2018.
24. On February 28, 2018, Dripping Springs Water Supply Corporation filed an affidavit attesting to mailed notice, including copies of individual notices, and publisher's affidavits.
25. On March 2, 2018, Dripping Springs Water Supply Corporation filed copies of the mailed notice provided.

Evidentiary Record

26. On _____, Order No. ____ was issued, admitting evidence into the record of this proceeding.

Informal Disposition

27. More than 15 days have passed since the completion of the notice provided in this docket.
28. Dripping Springs Water Supply Corporation and Commission Staff are the only parties to this proceeding.
29. No issues of fact or law remain disputed by any party; therefore, no hearing is necessary.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over these matters pursuant to Tex. Water Code Ann. §§ 13.041, 13.241, 13.244, and 13.246 (West 2008 & Supp. 2017) (TWC).
2. Dripping Springs Water Supply Corporation is a retail public utility as defined in TWC § 13.002(19) and 16 Texas Administrative Code (TAC) § 24.3(59).
3. Public notice of the application was provided in compliance with TWC § 13.246 and 16 TAC § 24.106.
4. The application meets the requirements set forth in TWC §§ 13.241, 13.244 and 13.246, and 16 TAC §§ 24.101-102 and 24.104-106.
5. After considering the factors in TWC § 13.246(c), Dripping Springs Water Supply Corporation is entitled to approval of the application, having demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area and its current service area as required by TWC § 13.241(a) and having also demonstrated that it has access to an adequate supply of water and is capable of providing drinking water that meets the requirements of Chapter 341 of the Health and Safety Code and the TWC as required by TWC § 13.241(b).
6. Approval of the application is necessary for the service, accommodation, convenience, or safety of the public as required by TWC § 13.246(b) and 16 TAC § 24.102(c).
7. Pursuant to TWC § 13.257(r) and 16 TAC § 24.106(e), Dripping Springs Water Supply Corporation is required to record a certified copy of the approved CCN and map, along with a boundary description of the service area in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
8. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. Dripping Springs Water Supply Corporation's application is approved.
2. Dripping Springs Water Supply Corporation's water CCN No. 10315 is hereby amended, consistent with this Notice.
3. Dripping Springs Water Supply Corporation shall serve every customer and applicant for service within the area certified under water CCN No. 10315, and such service shall be continuous and adequate.
4. Dripping Springs Water Supply Corporation shall comply with the recording requirements in TWC § 13.257(r) for the areas in Hays County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the ____ day of _____, 2018.

PUBLIC UTILITY COMMISSION OF TEXAS

ADMINISTRATIVE LAW JUDGE



Public Utility Commission of Texas

By These Presents Be It Known To All That

Dripping Springs Water Supply Corporation

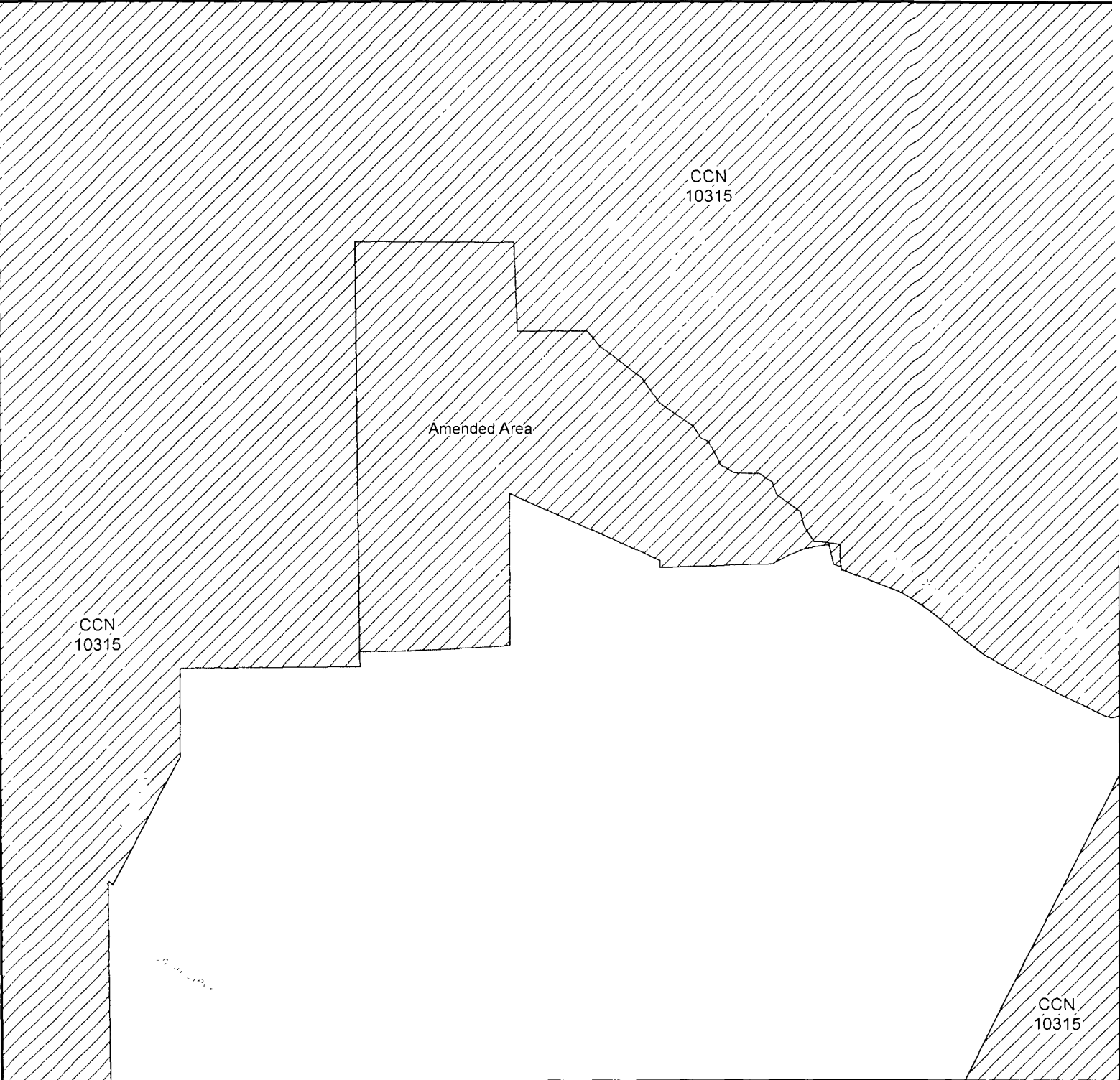
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Dripping Springs Water Supply Corporation is entitled to this

Certificate of Convenience and Necessity No. 10315

to provide continuous and adequate water utility service to that service area or those service areas in Hays County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47464 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Dripping Springs Water Supply Corporation to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the _____ day of _____ 2018.

Dripping Springs Water Supply Corporation
Portion of Water CCN No. 10315
PUC Docket No. 47464
Amended CCN No. 10315 in Hays County



Public Utility Commission of Texas
1701 N Congress Ave
Austin, TX 78701

Water CCN



10315 - Dripping Springs WSC

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Feet



Map by Komal Patel
Date created May 22, 2018
Project Path n\finalmapping\
47464DrippingSprings.mxd