



Control Number: 47543



Item Number: 15

Addendum StartPage: 0

DOCKET NO. 47543

2018 JAN -5 AM 11:17
PUBLIC UTILITY COMMISSION
PUBLIC UTILITY CLERK

**APPLICATION OF GREEN VALLEY §
SPECIAL UTILITY DISTRICT AND §
CITY OF CIBOLO FOR APPROVAL OF §
A SERVICE AREA CONTRACT UNDER §
TEXAS WATER CODE § 13.248 AND TO §
AMEND CERTIFICATES OF §
CONVENIENCE AND NECESSITY IN §
GUADALUPE COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Final Disposition.

I. BACKGROUND

On August 24, 2017, City of Cibolo (Cibolo) and Green Valley Special Utility District (GVSUD) (collectively, Applicants) filed an application pursuant to Texas Water Code § 13.248 (West 2008) (TWC) for approval of an agreement that would amend certificates of convenience and necessity (CCN) in Guadalupe County.¹ On October 13, 2017, Applicants filed supplemental information regarding the application.

On December 19, 2017, Applicants filed consent forms reflecting their agreement with the draft map and certificates transmitted to them by Staff.

On October 30, 2017, Order No. 4 was entered, requiring Staff to provide a recommendation regarding the application, notice, and procedural schedule by January 5, 2018. This pleading is timely filed.

II. RECOMMENDATION ON FINAL DISPOSITION

Consistent with the attached memorandum of Fred Bednarski, Water Utility Regulation Division, Staff recommends that the application be approved. Approval of the application would

¹ Application (Aug. 24, 2017).

allow Cibolo to be certified to provide retail water service to area decertified from the GVSUD. GVSUD does not have any existing customers in the area to be transferred to Cibolo, which is approximately 116 acres, so there would be no impact to current customers.

Attached to this pleading are proposed certificates and a map reflecting the proposed transfer.

III. CONCLUSION

Consistent with Order No. 4, Staff anticipates that the parties will file proposed findings of fact and conclusions of law by January 19, 2018. Staff respectfully requests the entry of an order consistent with the parties' proposed findings of fact and conclusions of law.

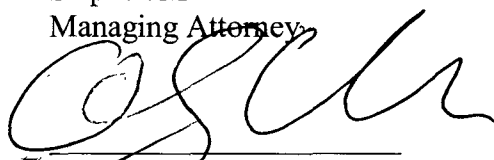
Date: January 5, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

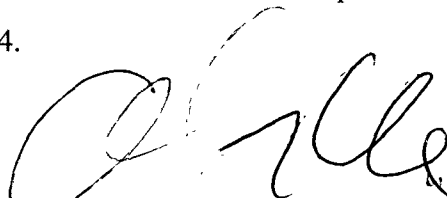
Stephen Mack
Managing Attorney



A. J. Smullen
State Bar No. 24083881
(512) 936-7289
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7268 (facsimile)
aj.smullen@puc.texas.gov

**DOCKET NO. 47543
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on January 5, 2018 in accordance with 16 TAC § 22.74.



A. J. Smullen

PUC Interoffice Memorandum

To: AJ Smullen, Attorney
Legal Division

Through: Tammy Benter, Director
Heidi Graham, Manager
Water Utility Regulation Division

From: Fred Bednarski, Financial Examiner
Water Utility Regulation Division

Date: January 05, 2018

Subject: **Docket No. 47543** *Application of Green Valley Special Utility District and City of Cibolo for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Guadalupe County*

On August 24, 2017, the City of Cibolo (Cibolo) and Green Valley Special Utility District (GVSUD), (Collectively, Applicants) filed an application, pursuant to Tex. Water Code § 13.248 (TWC) and 16 Tex. Admin. Code § 24.117 (TAC), for approval of an agreement that would amend their water Certificates of Convenience and Necessity (CCNs) in Guadalupe County. Cibolo holds water CCN No. 11903 and GVSUD holds water CCN No. 10646. Approval of the application would allow Cibolo to be certified to provide retail water service to area decertified from the GVSUD. The requested area includes approximately 116 acres and 0 customers.

Cibolo and GVSUD have agreed to amend their respective water CCNs to transfer a portion of certificated service area from GVSUD's CCN No. 10646 to Cibolo's CCN No. 11903 so that Cibolo may supply retail water to future customers located within its corporate limits and extraterritorial jurisdiction. GVSUD does not have any existing customers in the area to be transferred to Cibolo, which is approximately 116 acres, so there would be no impact to current customers.

The application meets all of the statutory requirements of TWC Chapter 13 and 16 TAC Chapter 24 rules and regulations. Staff recommends approval of the application.

On December 12, 2017, Cibolo consented to the attached maps and certificates, and on December 18, 2017, GVSUD consented to the attached maps and certificates.

Based the above information, Staff recommends:

- Approval of the application; and
- The attached map and certificates be provided to the Applicants.

Staff further recommends that the Applicants file certified copies of the CCN maps along with a written description of the CCN service area in the county clerk's office pursuant to TWC §§ 13.257(r)-(s).



Public Utility Commission of Texas

By These Presents Be It Known To All That

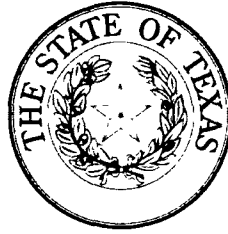
Green Valley Special Utility District

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, Green Valley Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 10646

to provide continuous and adequate water utility service to that service area or those service areas in Bexar, Comal, and Guadalupe Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47543 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 Green Valley Special Utility District 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.



Public Utility Commission of Texas

**By These Presents Be It Known To All That
City of Cibolo**

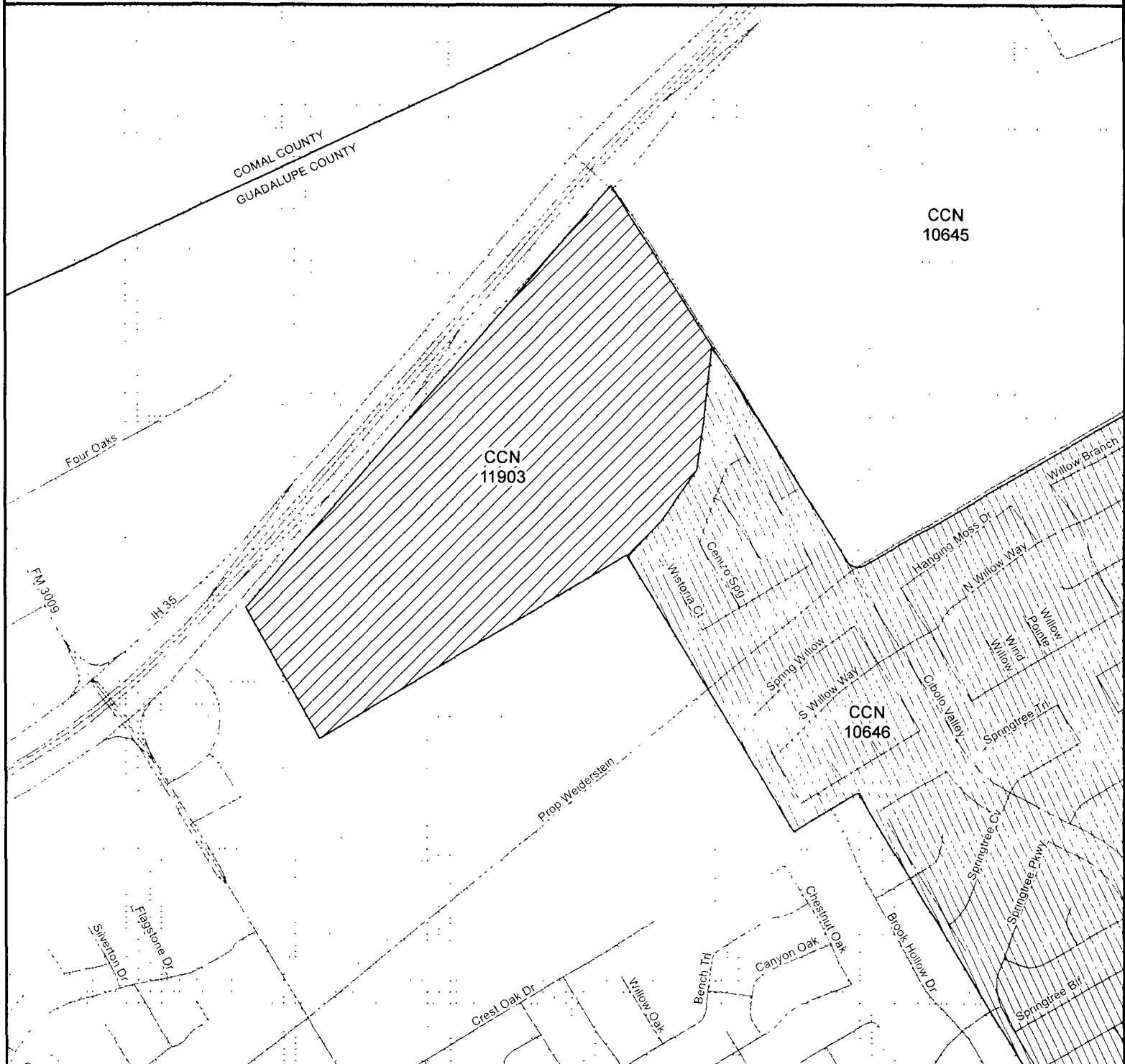
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Cibolo is entitled to this

Certificate of Convenience and Necessity No. 11903

to provide continuous and adequate water utility service to that service area or those service areas in Guadalupe County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47543 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 City of Cibolo 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.

City of Cibolo
Portion of Water CCN No. 11903
PUC Docket No. 47543
13.248 Agreement Amended CCN No. 11903 and
Decertified a Portion of Green Valley SUD, CCN No. 10646 in Guadalupe County



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

Water CCN

-  11903 - City of Cibolo
-  10646 - Green Valley SUD
-  10645 - City of Schertz

0 450 900
Feet



Map by Komal Patel
Date created: November 10, 2017
Project Path n:\finalmapping\47543CityofCibolo.mxd